

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Bail Appl..No. 5775 of 2015 ()

**CRIME NO. 1026/2015 OF CHIRAYINKEEZHU POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/3RD ACCUSED :

**VIVEK @ JAGATHY, AGED 25 YEARS,
S/O.VIJAYAKUMAR, KUNNIL THOTTIL VEEDU,
KULATHOOR, KIZHUVILAM THIRUVANANTHAPURAM.**

BY ADV. SRI.M.R.SARIN

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
CHIRAYINKEEZHU POLICE STATION,
THIRUVANANTHPAURAM 695 001.**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.5775 of 2015

Dated this the 30th day of September, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the third accused in Crime No.1026 of 2015 of Chirayankeezhu Police Station registered for offences punishable under Sections 143, 147, 148, 307, 323 and 324 read with Section 149 of the Indian Penal Code.

3. Prosecution case is that on 07.08.2015 at 6.30 p.m., five accused persons as members of an unlawful assembly formed with an intention to commit the murder of the defacto complainant, attacked him with deadly weapons.

4. Heard both sides.

Petitioner remains in custody from 11.08.2015. Investigation in respect of this petitioner has advanced to a considerable extent. Therefore, bail is granted to the petitioner with the following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

iv. The petitioner shall not indulge in any offence while on bail.

v. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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