

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

Bail Appl..No. 5918 of 2015

CRIME NO. 949/2015 OF KALAMASSERY POLICE STATION, ERNAKULAM
.....

PETITIONER(S)/5TH ACCUSED:

**SHIJIL, AGED 24 YEARS,
S/O. RAJENDRAN, SRUTHILAYA NIVAS HOUSE,
MUZHAPPILANGADI KARA, MUZHAPPILANGADI VILLAGE,
KANNUR DISTRICT.**

**BY ADVS.SRI.D.G.VIPIN
SRI.KAROL MATHEWS SEBASTIAN ALENCHERRY**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
29-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A. HARIPRASAD, J.

Bail Appl. No.5918 of 2015

Dated this the 29th day of October 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 5th accused in Crime No.949 of 2015 of Kalamassery Police station registered for the offences punishable under Secs.365, 395, 398 and 402 of the Indian Penal Code. Prosecution case is that, 25.03.2015, the defacto complainant was kidnapped by the accused in furtherance of their common intention and they forcefully took him in a vehicle. Thereafter, they snatched the mobile phone of the defacto complainant and threatened him that photographs of the defacto complainant would be published. Ransom was demanded. The petitioner was arrested on 30.07.2015.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. Investigation has not been completed. The petitioner is in custody for almost 90 days. Considering the entire facts and circumstances, bail is granted to the

petitioner with the following conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

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

v. The petitioner shall surrender his passport before the lower court concerned or if

he does not have the same, file an affidavit to that effect.

vi. The petitioner shall not leave the limits of Ernakulam District without obtaining permission from the learned Magistrate for a period of three months.

vii. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

viii. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/29/10/2015

P.A. To Judge