

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

Bail Appl..No. 6120 of 2015 ()

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CRIME NO. 798/2015 OF HOSDURG POLICE STATION, KASARAGOD DISTRICT.**

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PETITIONERS/ACCUSED NO 2:

**GANESHAN, S/O.CHEERUKANDAN,
AGED 39 YEARS, 'RAM NIVAS', KOLAVAYAL P.O.,
AJANUR (VIA), KASARAGOD DISTRICT.**

**BY ADVS.SRI.P.S.SREEDHARAN PILLAI,
SRI.ARJUN SREEDHAR.**

RESPONDENT/COMPLAINANT & STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A. HARIPRASAD, J.

Bail Appl. No.6120 of 2015

Dated this the 12th day of October 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.798 of 2015 of Hosdurg Police station registered for the offences punishable under Secs.143, 147, 148, 294(b), 324 and 307 read with Sec.149 of the Indian Penal Code. Defacto complainant is the worker of a political party and the petitioner is the follower of another party. Political clash between these two outfits is a common phenomenon. It is alleged that on 30.08.2015 at about 5.30 p.m., accused nos.1 to 4 and 20 others constituted themselves into an unlawful assembly armed with deadly weapons and attacked the defacto complainant with the common object of committing his murder. They used sword stick and wooden stick to unleash the attacks.

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

4. Learned counsel for the petitioner submitted that in the group clash, the petitioner and his brother sustained very serious injuries including head injury. Annexures A2 and A3 are the medical records produced to show that the petitioner and his brother were admitted with bodily injuries and head injuries and they were undergoing expert management for the serious injuries. The allegation against the petitioner is that he used a stick at the time of the incident.

Considering the nature of allegations and the medical records, following directions are issued.

1. The petitioner shall surrender before the investigating officer within a period of two weeks and submit himself for interrogation.

2. In the event of arrest, the petitioner shall be released on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioner shall appear before the

Investigating Officer for interrogation as and when directed by him in writing .

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

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/12/10/2015

P.A. To Judge