

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

Bail Appl..No. 6141 of 2015 ()

**CRIME NO. 1616/2015 OF KOTHAMANGALAM POLICE STATION,
ERNAKULAM DISTRICT**

PETITIONER/ACCUSED :

**BIJU VARGHESE, AGED 45 YEARS,
S/O.VARKEY VARGHESE, MANIYATTUKUDY HOUSE, CHELAD P.O.,
KARINGAZHA, KOTHAMANGALAM, ERNAKULAM DISTRICT.**

BY ADV. SRI.K.SUNILKUMAR

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.6141 of 2015

Dated this the 21st day of October 2015

ORDER

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

2. Petitioner is the accused in Crime No.1616 of 2015 Kothamangalam Police station registered for the offences under Secs.294(b), 308, 326 and 506(i) of the Indian Penal Code. Prosecution case is that the petitioner uttered obscene words, threatened the victim and assaulted him by driving the auto rickshaw against him, which caused to hit on him. He sustained very serious injuries.

3. Heard both sides.

4. The victim is said to have lost one tooth in the incident. There are some suspicious circumstances in the case. So I am inclined to grant the prayer of the petitioner.

In the result, the bail application is allowed.

1. The petitioner shall be released on

bail after interrogation on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2. The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every Friday for two months or till the final report is filed, whichever is earlier.

3. The petitioner shall not destroy or tamper with evidence.

4. The petitioner shall not intimidate or attempt to influence the witnesses.

5. The petitioner shall not get involved in any other criminal case.

6. The petitioner shall co-operate with the investigation.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

If the petitioner surrenders before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A. To Judge