

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 6154 of 2015

CRIME NO.1033/2015 OF SAKTHIKULANGARA POLICE STATION, KOLLAM

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PETITIONER(S)/ACCUSED NOS. 1 & 3:

- 1. PRAVEEN, AGED 30 YEARS,
S/O. BABU, VISANTH BHAVAN, MEENATHU CHERRY,
SAKTHIKULANGARA VILLAGE, KOLLAM DISTRICT.**
- 2. VINU, AGED 30 YEARS,
S/O. BABU, MUTTARA VADAKKATHIL, KANNIMEL CHERRY,
SAKTHIKULANGARA, KOLLAM.**

**BY ADVS.SRI.PRATHEESH.P
SMT.S.SEETHA**

RESPONDENT(S):

**STATE OF KERALA,
THROUGH THE S.I. OF POLICE,
SAKTHIKULANGARA POLICE STATION,
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
15-10-2015, ALONG WITH BA. 6250/2015, THE COURT ON
THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD, J.

B.A.Nos.6154 & 6205 of 2015

Dated this the 15th day of October, 2015

O R D E R

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioners are accused Nos.1 & 3 in Crime No.1033 of 2015 of Sakthikulangara Police Station are the applicants in B.A.No.6154 of 2015. Second accused in the same crime has filed an application 6250 of 2015.

3. Heard both sides.

4. Prosecution case is that on account of enmity nurtured by accused towards the defacto complainant, the accused persons as members of an unlawful assembly armed with deadly weapons with a view to commit culpable homicide attacked him on 20.07.2015 in front of his house. The first accused used a stick and the 3rd accused used a sword. The second accused also used weapons and he is involved in 3 other crimes including an offence under Section 307 of the I.P.C.

5. After hearing the counsel on both sides and

considering the stage of investigation and also the nature of the allegation against the second accused, I am not inclined to grant bail to him at present. Therefore, B.A.No.6250 of 2015 is dismissed. B.A.No.6154 of 2015 is allowed with the following conditions:

- (a) The petitioners shall be released on bail on their executing a bond for ₹50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioners shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00

a.m. until the final report is filed.

- (d) The petitioners shall not intimidate or attempt to influence the witnesses.
- (e) The petitioners shall not in any manner interfere or meddle with the investigation.
- (f) The petitioners shall not, during the period of this bail get involved in any offence.

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.

AS

/True Copy/

P.A. to Judge