

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Bail Appl..No. 6213 of 2015 ()

CRIME NO.278/2015 OF MEENAKSHIPURAM POLICE STATION, PALAKKAD DISTRICT

APPLICANT(S)/ACCUSED NOS 1 AND 2:

- 1. MUKESH, AGED 24 YEARS,
S/O. VELAYUDHAN, PURAYORAM, PUDUSSERY,
VILAYODI, CHITTUR, PALAKKAD.**
- 2. SAHIJITH, AGED 23 YEARS,
S/O. ARUCHAMI, POTHANAICKENCHALLA, PUDUSSERY,
VILAYODI, CHITTUR, PALAKKAD.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A. HARIPRASAD, J.

Bail Appl. No.6213 of 2015

Dated this the 8th day of October 2015

O R D E R

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

2. Petitioners are accused nos.1 and 2 in Crime No.278 of 2015 of Meenakshipuram Police station registered for the offences punishable under Secs.341, 323, 324 and 308 read with Sec.34 of the Indian Penal Code. The prosecution allegation is that on 03.09.2015, the accused trespassed into the coconut garden with dangerous weapons and attacked the Manager of the garden. They attacked the toddy workers also. The first accused inflicted an injury on the defacto complainant by using a knife.

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

4. Learned Public Prosecutor opposed the bail application contending that the 1st accused is involved in another offence and also booked for proceedings under Sec.107 Cr.P.C.

Considering the stage of investigation, I am not inclined to grant bail to the 1st petitioner/1st accused. The bail application as regards the 2nd petitioner is concerned is allowed with the following conditions.

i. The 2nd petitioner shall be released on bail on his 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 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 2nd petitioner shall appear before the Investigating Officer for interrogation on every Monday and Thursday between 10.00 a.m. and 11.00 a.m. till the final report is filed.

iv. He shall not intimidate or attempt

to influence the witnesses, nor shall he tamper with the evidence.

v. He 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/08/10/2015

P.A. To Judge