

**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. 6233 of 2015 ()**

**CRIME NO. 837/2015 OF AIROOR POLICE STATION,  
THIRUVANANDAPURAM DISTRICT**

**PETITIONER/9TH ACCUSED :**

**UNNI, AGED 23 YEARS, S/O.UTHAMAN,  
NIJU VILASAM, VATTAPLAMOOD COLONY,  
MUTTAPPALAM, THIRUVANANTHAPURAM.**

**BY ADV. SRI.LIJU. M.P**

**RESPONDENT/COMPLAINANT :**

**STATE OF KERALA  
REPRESENTED BY SUB INSPECTOR OF POLICE,  
AYIROOR POLICE STATION, THIRUVANANTHAPURAM  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI.C. RASHEED**

**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.**

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**B.A. No.6233 of 2015**  
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**Dated this the 21<sup>st</sup> day of October, 2015**

**ORDER**

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 9<sup>th</sup> accused in Crime No.837 of 2015 of Ayiroor police station registered for the offences under Sections 143, 147, 148, 324, 302 read with Section 149 of the Indian Penal Code and Section 27 of Arms Act.

2. The prosecution case is that the accused in the case armed with deadly weapons formed themselves into an unlawful assembly and assaulted the victim, who later died.

3. Heard.

4. The prosecution has no case that the petitioner was armed with any deadly weapon or he assaulted the victim with a deadly weapon. He has been in custody since 27.08.2015. His further detention is not necessary for completion of the investigation.

In the result, this application is allowed.

The petitioner will 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 concerned.

2. He shall appear before the investigating officer between 11 a.m and 12 noon every Friday for four months, or till the final report is filed, whichever is earlier.

3. He shall not threaten or attempt to influence the witnesses, nor shall he while on bail, get himself involved in any criminal case; nor shall he destroy or attempt to destroy the evidence or interfere with the investigation.

4. He shall surrender his passport before the lower court concerned of if he does not have one, he shall file an affidavit to that effect within five days of his release.

5. He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

If the petitioner violates any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

sd/-

**K. ABRAHAM MATHEW**  
**JUDGE**

R.AV

//True Copy//

PA to Judge