

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. 6242 of 2015

CRIME NO. 1048/2014 OF KASARAGOD POLICE STATION, KASARAGOD.
.....

PETITIONER/ACCUSED :

**ANIL KUMAR, AGED 43 YEARS,
S/O. BALAKRISHNA, KUNNUMPARA HOUSE,
DELI, PARAVANADUKKAM, KASARAGOD.**

**BY ADVS.SRI.T.G.RAJENDRAN
SRI.T.R.TARIN
SMT.ANN SUSAN GEORGE
SRI.V.A.VINOD**

RESPONDENT(S)/COMPLAINANT/STATE :

- 1. THE STATION HOUSE OFFICER,
KASARAGOD POLICE STATION, PIN-671 121.**
- 2. 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:**

mbr/

A.HARIPRASAD, J.

B.A.No.6242 of 2015

Dated this the 12th day of October, 2015

O R D E R

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

2. Petitioner is the 20th accused in Crime No.1048 of 2014 of Kasaragod Police Station registered for the offences punishable under Sections 143, 147, 148, 341, 449, 120B, 153A and 302 r/w Section 149 of the Indian Penal Code.

3. Prosecution case is that on 22.12.2014 at about 21.45 hours all the accused including the petitioner in prosecution of their common object formed themselves into an unlawful assembly and committed murder of the defacto complainant's son.

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

5. Leaned counsel for the petitioner submitted that the petitioner surrendered before the court on 18.09.2015.

6. Learned Public Prosecutor opposed the bail application contending that the allegation against him is that he is a member of the conspirators and he helped the accused by providing vehicles before the commission of the incident.

7. Considering the fact the investigation against this petitioner has advanced and some of the other accused in this case have already been released on bail. I am inclined to grant bail to the petitioner with the following conditions:

- (a) The petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties 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 petitioner 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 petitioner shall not enter the Kasaragod District for a period of three months except for the purpose of reporting to the Investigating Officer or attending the court.
- (e) The petitioner shall not intimidate or attempt to influence the witnesses.
- (f) The petitioner shall not in any manner interfere or meddle with the investigation.
- (g) The petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge