IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

Bail Appl..No. 6434 of 2015

CRIME NO. 458/2015 OF VYTHIRI POLICE STATION , WAYANAD DISTRICT

PETITIONER(S)/ACCUSED :

BIJU M.R., AGED 34 YEARS,
S/O.RAMANKUTTY, MANGATTUPARAMBIL HOUSE, THALIMALA.P.O.,
VYTHIRI TALUK, WAYANAD DISTRICT.

BY ADV. SRI.K.RAKESH

RESPONDENT(S)/STATE & COMPLAINANT :

---

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

2. **THE SUB INSPECTOR OF POLICE,**
   VYTHIRI POLICE STATION, WAYANAD DISTRICT, PIN-673 576.

BY PUBLIC PROSECUTOR SMT.R.REMA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Msd.

A. HARIPRASAD, J.

Bail Appl. No.6434 of 2015

Dated this the 29th day of October 2015

O R D E R

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

2. Petitioner is the accused in Crime No.458 of 2015 of Vythiri Police station registered for the offences punishable under Secs.324 and 308 of the Indian Penal Code. Prosecution case is that on 10.09.2015 at about 8.30 p.m., the accused who was driving a jeep dashed on the motor cycle ridden by the defacto complainant, due to previous enmity, and he fell down. The victim sustained injuries in the incident.

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

4. Learned Public Prosecutor opposed the bail application contending that the petitioner is involved in two other crimes and proceedings under Sec.107 Cr.P.C has also initiated against him.

5. Learned counsel for the petitioner submitted

that the other two crimes have been settled and he was acquitted. It is also submitted that proceedings under Sec.107 Cr.P.C. was initiated on account of the influence asserted by some persons.

Considering the nature of allegations, bail is granted to the petitioner with the following conditions.

i. The 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 lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. untill final report is filed.

v. The petitioner shall surrender his passport before the lower court concerned or if he does not have the same, file an affidavit to that effect.

vi. The petitioner shall not leave the limits of Wayanad District without obtaining permission from the learned Magistrate.

vii. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

viii. The petitioner 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/29/10/2015 P.A. To Judge