

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. 6500 of 2015

CRIME NO. 314/1993 OF ATTINGAL POLICE STATION, THIRUVANANTHAPURAM
.....

PETITIONER(S)/A3:

**JAYAPRAKASH S., AGED 56 YEARS,
S/O.LATE PONNAMMA, VILAYIL VEEDU, NEAR KAKKATTUMADAM,
MARKET ROAD, ATTINGAL, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.K.R.RIJA**

RESPONDENT(S)/COMPLAINANT:

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

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:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.6500 of 2015

Dated this the 21st day of October 2015

ORDER

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

2. Petitioner was the 3rd accused in Crime No.314 of 1993 of Attingal Police station registered for the offences under Secs.302, 307, 323 and 324 read with Sec.34 of the Indian Penal Code. The case against him was split up and the co-accused were tried in S.C. No.226 of 1995 and S.C. No.925 of 2007. The petitioner surrendered before the Court below on 05.10.2015 and has been in custody since then. It is submitted that the co-accused have been acquitted on finding that the prosecution case is not true.

3. Heard both sides.

4. The petitioner was working abroad. He surrendered before the Court concerned on 05.10.2015. I have perused Ext.A1 judgment, by which, some of the co-accused were acquitted. It appears that further detention of the petitioner is not necessary.

In the result, the bail application is allowed.

1) 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) The petitioner shall not leave the State of Kerala except with the permission of the Court concerned.

3) The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every Friday for three months or till the final report is filed, whichever is earlier.

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

5) The petitioner shall not destroy or

tamper with evidence nor shall he get himself involved in any other criminal case.

6) The petitioner shall not intimidate or attempt to influence the witnesses.

In case of violation of any of the above conditions, the learned Magistrate or the Sessions Judge is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

P.A. To Judge

NS