

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

Bail Appl..No. 6737 of 2015

CRIME NO. 1359/2015 OF RANNI POLICE STATION , PATHANAMTHITTA DISTRICT

PETITIONER(S)/ACCUSED :

**THOMAS THOMAS @ BABU, AGED 65 YEARS,
S/O.THOMAS, KAVUNKAL HOUSE, CHETTIMUKKU,
ANGADI VILLAGE, RANNI, PATHANAMTHITTA.**

BY ADV. SRI.M.T.SURESHKUMAR

RESPONDENT(S)/COMPLAINANT :

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

BY SR.PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A.No.6737 of 2015

Dated this the 28th day of October, 2015

O R D E R

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

2. Petitioner is the accused in Crime No.1359 of 2015 of Ranni Police Station registered for the offence punishable under Section 302 of the Indian Penal Code.

3. Prosecution case is that on 05.09.2015, at about 01.15 p.m., there was an altercation between the deceased and the accused in connection with a boundary dispute. It is the allegation that a piece of brick was pelted on backside of the head of deceased causing internal bleeding and consequent death.

4. Heard both sides.

5. Leaned counsel for the petitioner submitted that he is in custody from 05.09.2015 onwards.

5. Considering the facts and circumstances of the case and the state of investigation, I am inclined to grant bail to the petitioners 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 lower court 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 Saturdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) 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