

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 6TH DAY OF NOVEMBER 2015/15TH KARTHIKA, 1937

Bail Appl..No. 6765 of 2015

CRIME NO. 979/2015 OF KASABA POLICE STATION , PALAKKAD DISTRICT

PETITIONER(S)/ACCUSED A 1 :

**SATHEESH, AGED 28 YEARS,
S/O.LATE THANKAPPAN, VALIYAPURAKKAL, NEELIKKAD,
PUTHUSERY, PALAKKAD DISTRICT.**

BY ADV. SRI.K.ANAND

RESPONDENT(S)/STATE & COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
KASABA POLICE STATION, PALAKKAD DISTRICT- 678 001.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A.No.6765 of 2015

Dated this the 6th day of November, 2015

ORDER

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

2. Petitioner is the first accused in Crime No.979 of 2015 of Kasaba Police Station, Palakkad registered for the offences punishable under Sections 308, 324 and 341 r/w Section 34 of the Indian Penal Code.

3. Prosecution case is that on 30.08.2015 at about 08.00 a.m., the accused 1 to 4 attacked the defacto complainant by using sword causing injury on the head of the defacto complainant

4. Heard both sides.

5. Learned Public Prosecutor opposed the bail application. It is submitted that he is involved in another crime for the offence punishable under Section 302 IPC. It is also submitted that there is threat against his life.

6. Learned counsel for the petitioner submitted that in the other case he is on bail.

7. Considering the nature of allegations and the

possibility of a breach of peace, I am inclined to grant bail to the petitioner with the following conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh 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 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 local limits of Kasaba Police Station, Palakkad 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