

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. 6795 of 2015 ()

**CRIME NO. 614/2015 OF ARUVIKKARA POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/ACCUSED:

**NISHANTH, AGED 23 YEARS,
S/O.CHITHAMBARAM, RESIDING AT KOCHUPLAMVEEDU,
BHAGAVATHIPURAM, ARUVIKKARA VILLAGE,
CHERIYAKONNI MURI,
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SMT.M.SANTHI
SRI.G.RANJU MOHAN**

RESPONDENT/STATE:

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

BY SR PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

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

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A. HARIPRASAD, J.

Bail Appl. No.6795 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.614 of 2015 of Aruvikkara Police station registered for the offences punishable under Secs.308, 333 and 353 of the Indian Penal Code. Prosecution case is that, on 23.08.2015 at about 5.45 p.m., the defacto complainant and party, while engaged in vehicle checking duty, approached the auto rickshaw driven by the accused parked on the side of a road in a suspicious circumstance. The accused, on seeing the defacto complainant sped away by hitting the officers with the auto rickshaw. The Police officers sustained injuries in the incident.

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

4. Learned counsel for the petitioner submitted that the entire prosecution case is false and the petitioner

is remaining in custody from 12.10.2015 onwards.

Considering the nature of allegations and the fact that investigation has advanced to a considerable extent, 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. until final report is filed.

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

vi. 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