

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

Bail Appl..No. 6827 of 2015

CRIME NO. 1448/2015 OF NEDUPUZHA POLICE STATION, THRISSUR DISTRICT.
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PETITIONERS/ACCUSED NO.2:

**JAIN @ PONNU,
S/O. LATE JOSE, AGED 30 YEARS,
CHALISSERY HOUSE, OLLUR,
EDAKUNNI VILLAGE, THRISSUR.**

**BY ADVS.SRI.E.VIJIN KARTHIK
SRI.P.V.JEEVESH**

RESPONDENTS/STATE:

**STATE OF KERALA,
CRIME NO. 1448/2015, SI OF POLICE,
NEDUPUZHA POLICE STATION, THRISSUR,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.6827 of 2015

Dated this the 19th day of November, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Second accused in Nedupuzha Police Station No.1448 of 2015 registered for offences punishable under Sections 143, 147, 148, 323, 324, 325 and 308 read with Section 149 of the Indian Penal Code seeks bail.

3. Prosecution case is that the petitioner as member of an unlawful assembly went in a vehicle and attacked the defacto complainant and his brother-in-law on 20.09.2015 at about 9.30 p.m.

4. Heard both sides.

5. Learned Prosecutor strongly opposed the bail application contending that the petitioner is involved in ten cases. Most of the offences are theft and abkari cases.

Considering the nature of allegations and the submission of the learned counsel for the petitioner that the matter has been settled between the defacto complainant and the accused persons amicably and also considering the number of days in custody from 21.09.2015, bail is granted to the petitioner with following conditions:

- i. Petitioner shall be released on bail on executing a bond

for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.

iv. He shall not indulge in any offence while on bail.

v. He shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

vi. He shall not leave Thrissur District without the permission of the learned Magistrate having jurisdiction until final report is filed.

If any of the above conditions is breached by the petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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