

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

Bail Appl..No. 6854 of 2015 ()

CRIME NO. 1033/2015 OF SAKTHIKULANGARA POLICE STATION, KOLLAM DIST.

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PETITIONER/2ND ACCUSED:

**MR.SUNI, AGED 32 YEARS,
S/O.BASHEER, RESIDING AT MUTTARA VADAKKATHIL,
KANNIMMEL CHERRY, SAKTHIKULANGARA,
KOLLAM DISTRICT.**

**BY ADVS.SRI.S.SREEKUMAR (KOLLAM),
SMT.SHEENAMOL VARGHESE.**

RESPONDENT/STATE:

**THE STATE OF KERALA,
REPRESENTED THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM,
THROUGH THE SUB-INSPECTOR OF POLICE,
SAKTHIKULANGARA POLICE STATION,
KOLLAM DISTRICT.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A No.6854 of 2015

Dated this the 3rd day of November, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the second accused in Crime No.1033/2015 of Sakthikulangara Police Station registered for offences punishable under Section 294(b), 323, 325, 506(ii) and 308 r/w Section 34 I.P.C and Section 27 of the Arms Act.

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

4. Prosecution case, in short, is that on account of enmity nurtured by accused towards the defacto complainant, the accused persons as members of an unlawful assembly armed with deadly weapons, with a view to commit culpable homicide, attacked the defacto complainant on 20-07-2015. It is alleged that the petitioner used sword to inflict injuries on the defacto complainant.

5. Learned counsel for the petitioner submitted that accused Nos.1 and 3 in the said crime was released on bail by this court on 15-10-2015 as per order B.A No.6154 and 6205 of 2015. Considering the stage of investigation and also the number of days spent by the accused in custody, I find that bail can be granted to this petitioner with following strict conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees fifty thousand thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Mondays and

Thursdays between 10.00 and 11.00 a.m until the final report is filed.

4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

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

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

amk

P.A to Judge