

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

Bail Appl..No. 6894 of 2015 ()

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CRIME NO. 227/2001 OF KILIMANOOR POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT
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PETITIONER/ACCUSED (IN CUSTODY):

**ANIL KUMAR, AGED 42 YEARS,
S/O.PARAMESWARAN NAIR, UDAYABHAVAN, VP IV/617,
NEAR KARUVELI JUNCTION, VAMANAPURAM,
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.A.RAJASIMHAN
SRI.K.NIRMALAN**

RESPONDENT/STATE:

**STATE OF KERALA,
THROUGH THE SUB INSPECTOR OF POLICE,
KILIMANOOR POLICE STATION, THIRUVANANTHAPURAM,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY SR PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A.No.6894 of 2015

Dated this the 4th day of November, 2015

ORDER

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

2. Petitioner is 6th the accused in Crime No.227 of 2001 of Kilimanoor Police Station pending in L.P.No.34 of 2015 before the Additional Sessions Judge-V, Thiruvananthapuram. The petitioner is involved in offences punishable under Sections 143, 147, 148, 149, 324, 308 and 427 of the Indian Penal Code and Section 27 Arms Act. There are altogether 14 accused

3. Heard both sides.

4. Learned counsel for the petitioner submitted that no overt act is alleged against the petitioner. It is also his submission that the petitioner was appearing before the court regularly. He could not appear before the court only on account of his obtaining a job abroad. As per the order passed by the learned Additional Sessions Judge the matter was transmitted to long pending case register only

in the year 2015.

5. Considering the nature of allegations and the fact that this is a case of 2001, I am inclined to grant bail to the petitioner with the following strict conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned Additional Sessions Judge-V, Thiruvananthapuram.
- (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 court without fail on all posting dates.
- (d) The petitioner shall surrender his passport forthwith before the trial court. If he intends

to go abroad he shall seek the permission of 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