

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

Bail Appl..No. 6981 of 2015 ()

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CRIME NO. 1070/2015 OF KASABA POLICE STATION, PALAKKAD DISTRICT.**

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PETITIONER/ACCUSED NO.1:

**AJITHKUMAR, AGED 20 YEARS,
S/O.KUMAR, THOTTUMEDU HOUSE,
CHADAYANKALI, KANJIKODU,
PALAKKAD DISTRICT.**

**BY ADVS.SRI.K.S.ARUN KUMAR,
SMT.M.N.MAYA,
SMT.RESMI THOMAS,
SRI.P.A.VIBIN.**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A.No.6981 of 2015

Dated this the 13th day of November, 2015

O R D E R

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

2. Petitioner is the 1st accused in Crime No.1070 of 2015 of Kasaba Police Station, Palakkad District registered for the offences punishable under Sections 143, 147, 148, 341, 323, 324 and 308 r/w Section 149 of the Indian Penal Code.

3. Prosecution case is that on 11.10.2015 at about 07.30 p.m., the petitioner along with other accused persons in furtherance of their common object, formed themselves into an unlawful assembly with deadly weapons like sword, iron rod etc., and attempted to kill the defacto complainant.

4. Learned counsel for the petitioner submitted that the petitioner remains in custody from 12.10.2015 onwards. His earlier bail application as per order dated 30.10.2015 in B.A.No.6692 of 2015 was rejected by this

Court for the reason that the petitioner is involved in 4 other cases. Learned counsel for the petitioner submitted that in 2 cases he had been acquitted and other cases he is on bail.

5. Heard both sides.

6. Considering the nature of the allegations and the stage of investigation, 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 ₹50,000/- (Rupees Fifty Thousand 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