

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 12TH DAY OF NOVEMBER 2015/21ST KARTHIKA, 1937

Bail Appl..No. 7021 of 2015 ()

CRIME NO. 795/2015 OF MARAYAMUTTOM POLICE STATION , THIRUVANANDAPURAM.

PETITIONER/ACCUSED:

**SUDHEER, AGED 40 YEARS,
S/O.MANIKANDAN NAIR,
KURUTHALAIKKAL MELE PUTHEN VEEDU,
MEKKOLLA DESOM,
KOLLAYIL VILLAGE, NEYYATTINKARA.**

BY ADV. SRI.G.SUDHEER.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI.SHIBU JOSEPH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

amk

A.HARIPRASAD, J.

B.A No.7021 of 2015

Dated this the 12th day of November, 2015.

ORDER

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

2. Petitioner is the accused in Crime No.795/2015 of Marayamuttom Police Station registered for offences punishable under Sections 341, 327, 324, 326 and 307 I.P.C.

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

4. Prosecution case, in short, is that on 08-10-2015 at about 3.30 p.m., while the defacto complainant was walking through a road, the accused obstructed him and pushed him down. Thereafter, he punched on the chest of the defacto complainant and thereby caused fracture of bones. He used a piece of hollow brick to inflict an injury on the forehead of the defacto complainant.

5. The petitioner was arrested on 22-10-2015 and remains in custody since then. Learned counsel for the petitioner submitted that in connection with a dispute pertaining to a way, there was scuffle and the defacto complainant sustained injuries in the fall. Learned Public Prosecutor submitted that the investigation has advanced to a considerable extent and there is no criminal antecedence reported against the petitioner. Considering the facts and circumstances of the case, I find that bail can be granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.25,000/- (Rupees twenty five 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 Saturdays between 10.00 and 11.00 a.m until 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.**

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P.A to Judge