

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937

Bail Appl..No. 7089 of 2015 ()

CRIME NO. 1599/2015 OF OCHIRA POLICE STATION, KOLLAM DISTRICT

PETITIONER/PETITIONER/1ST ACCUSED :

**SURESH,
AGED 26 YEARS, S/O. RAVI,
KARoor HOUSE, CLAPPANA NORTH MURI
CLAPPANA VILLAGE, KARUNAGAPPALLY**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENTS/RESPONDENT/COMPLAINANTS/STATE :

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

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.7089 of 2015

Dated this the 24th day of November, 2015

ORDER

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

2. First accused in Crime No.1599 of 2015 of Oachira Police Station registered for offences punishable under Sections 294(b), 324 and 308 read with Section 34 of the Indian Penal Code is the petitioner. He seeks bail.

3. Prosecution case is that the petitioner along with the second accused attacked the defacto complainant with a spade and shock absorber. At that time the defacto complainant was carrying his grandchild and both the defacto complainant and the child sustained injuries.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application. She submitted that the petitioner is involved in three other crimes.

Considering the nature of allegations and the fact that the petitioner is in custody from 01.10.2015 onwards, bail is granted to him 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.

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

vii. He shall not enter the limits of Oachira Police Station for a period of three months except for the purpose of complying with the bail conditions.

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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