

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. 7091 of 2015 ()

CRIME NO. 304/2015 OF AMBALATHARA POLICE STATION, KASARGOD DISTRICT

PETITIONER/ACCUSED NO.1 :

**SREENATH,
S/O.P.V.KUNHIKRISHNAN, AGED 30 YEARS,
PERATTUR HOUSE, NEERAJAL,
THAYANNUR GRAMAM, KASARAGOD.**

**BY ADVS.SRI.P.S.SREEDHARAN PILLAI
SRI.ARJUN SREEDHAR**

RESPONDENT/COMPLAINANT & STATE :

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

BY PUBLIC PROSECUTOR SRI.C. RASHEED

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

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A.HARIPRASAD, J.

B.A.No.7091 of 2015

Dated this the 13th day of November, 2015

ORDER

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

2. Petitioner is the first the accused in Crime No.304 of 2015 of Ambalathara Police Station registered for the offences punishable under Sections 341, 323, 307, 120(B), 109 and 302 r/w Section 34 of the Indian Penal Code.

3. Prosecution case is that on 28.08.2015 at 14.35 hours the accused persons who are members of a political party armed themselves with deadly weapons attacked the deceased and another person causing death of one Narayanan and injuries to his brother.

4. Heard both sides.

5. Leaned counsel for the petitioner submitted that the petitioner remains in custody from 01.09.2015.

6. Leaned Public Prosecutor opposed the bail application.

7. Accused 2 and 3 are already released on bail as per order dated 28.10.2015 in B.A.No.6295 of 2015. Therefore, I am inclined to grant bail to the petitioner with the following same strict conditions:

- (a) The petitioner shall be released on bail on 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 between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (d) The petitioner shall not enter the limits of

Kasaragod District for a period of three months, except for complying with the bail conditions.

- (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