

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

Bail Appl..No. 7231 of 2015 ()

CRIME NO. 1170/2015 OF KASABA POLICE STATION, PALAKKAD DISTRICT.

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PETITIONER/ACCUSED NO.3:

**DILEEP, AGED 22 YEARS,
S/O.CHENTHAMARA, KAVILVEEDU HOUSE,
KOSAPPALLAM, SURYA NAGAR,
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 17-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.7231 of 2015

Dated this the 17th day of November, 2015

ORDER

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

2. Petitioner is the third accused in Crime No.1170 of 2015 of Kasba Police Station, Palakkad registered for offences punishable under Sections 143, 147, 148, 341, 323, 324 and 308 read with Section 149 of the Indian Penal Code.

3. Prosecution case is that on 11.10.2015 at 7.30 p.m. the accused persons in furtherance of their common object formed themselves into an unlawful assembly with weapons and attacked the defacto complainant and thereby caused injuries. Accused persons used iron rod, sword, etc.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application.

6. Learned counsel for the petitioner submitted that accused 1 and 4 have been released on bail by this Court. In answer to this argument, learned Prosecutor submitted that they were arrested prior to this petitioner.

Considering the nature of allegations, bail is granted to the petitioner with following conditions:

- i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand 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.
- v. He shall not influence or intimidate the witnesses or meddle with the investigation in any manner.
- vi. He shall not enter the limits of Kasba Police Station for a period of three months except for the purpose of complying with the conditions in the bail order.

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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