

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

Bail Appl..No. 7403 of 2015

CRIME NO. 987/2015 OF AYYAMPUZHA POLICE STATION, ERNAKULAM

PETITIONER(S)/ACCUSED NO.1:

**TONY, AGED 26 YEARS,
S/O.URUMEEES, KOLAATUKUDY (H), CHULLY,
AYYAMPUZHA.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/STATE:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM - 682 031.
(CRIME NO.987/2015 OF AYYAMPUZHA POLICE STATION,
ERNAKULAM DISTRICT).**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.7403 of 2015

Dated this the 8th day of December 2015

ORDER

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.987 of 2015 of Ayyampuzha Police station registered for the offences punishable under Secs.447 and 308 read with Sec.34 of the Indian Penal Code. Prosecution allegation is that, on 25.10.2015 at about 9.45 p.m., accused nos.1 to 3, trespassed into the courtyard of the defacto complainant and assaulted him with a stick.

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

4. Learned Public Prosecutor opposed the bail application. It is submitted that the petitioner is involved in four other crimes of grave nature. He is in custody from 26.10.2015.

Having regard to the stage of investigation and the fact that the petitioner has been in custody from 26.10.2015, bail is granted to him with the following

conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.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 be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall not enter the limits of Ayyampuzha Police station except for complying with the conditions in the bail order for a period of three months.

vi. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vii. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/08/12/2015

P.A. To Judge