

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

Bail Appl..No. 7478 of 2015 ()

CRIME NO. 1262/2015 OF VIZHINJAM POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED NO.2 :

**AROGYAM @ ARUN, AGED 34 YEARS
S/O. DASAN, THULAVILA COLONY, KOTTAPPURAM
VIZHINJAM, VIZHINJAM VILLAGE, NEYYATTINKARA
THIRUVANANTHAPURAM.**

BY ADV. SRI.V.S.THOSHIN

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
THROUGH THE SUB INSPECTOR OF POLICE
VIZHINJAM POLICE STATION, THIRUVANANTHAPURAM.**

BY SR. PUBLIC PROSECUTOR SRI. C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.7478 of 2015

Dated this the 1st day of December, 2015

ORDER

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

2. Second accused in Crime No.1262 of 2015 of Vizhinjam Police Station registered for offences punishable under Sections 301, 201 and 120B read with Section 34 of the Indian Penal Code seeks bail.

3. Prosecution case, in short, is that the first accused committed murder of his own brother due to enmity and the petitioner caused disappearance of the evidence and thereby committed the offences.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the first accused has been released on bail as per order on B.A.No.6650 of 2015 dated 30.10.2015.

Therefore, I am of the view that the petitioner also can be released on bail with the same conditions. Hence the following order:

i. Petitioner shall be released on bail on his 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 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 intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vi. 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.

A. HARIPRASAD, JUDGE.

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