

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

Bail Appl..No. 7603 of 2015

CRIME NO. 1297/2015 OF MATTANNUR POLICE STATION, KANNUR.

PETITIONER/ACCUSED NO.2:

**THEJAS V.K, AGED 21 YEARS,
S/O JANARDHANAN, 'THEJAS', PANALAD,
P.O. IRIKKUR, KANNUR DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENT(S)/COMPLAINANT & STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031**
- 2. THE STATION HOUSE OFFICER,
(CRIME NO. 1297 OF 2015 OF
MATTANNUR POLICE STATION)
KANNUR DISTRICT-670 001.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.7603 of 2015

Dated this the 7th day of December, 2015

ORDER

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

2. Petitioner is the second accused in Crime No.1297 of 2015 of Mattannur Police Station registered for offences punishable under Sections 341, 323, 324, 308 and 392 read with Section 34 of the Indian Penal Code. He seeks bail.

3. Prosecution case is that on 02.11.2015 at around 11.30 hours, the accused persons armed with deadly weapons restrained and kicked the defacto complainant. It is further alleged that the accused forcefully pulled down the defacto complainant and assaulted him. Further, iron rod was also used to cause injury to the defacto complainant. Thereafter they committed robbery of two mobile phones from the defacto complainant.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is in custody from 05.11.2015 onwards.

Considering the stage of investigation and the number of days in custody, 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 10.00 and 11.00 a.m until final report is filed.

iv. Petitioner 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.

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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