

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. 7610 of 2015

**CRIME NO. 833/2015 OF CHIRAYINKEEZHU POLICE STATION,
THIRUVANANTHAPURAM**

PETITIONER(S)/8TH ACCUSED:

**AKHIL,
S/O.GOPALAKRISHNAN, VALIYAVILAKOM VEEDU,
NEAR GURUNAGAR IDANJIMoola,
PERUMKUZHI AZHOOR VILLAGE,
THIRUVANANTHAPURAM.**

BY ADV. SRI.M.R.SARIN

RESPONDENT(S)/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE,
CHIRAYINKEEZHU POLICE STATION, TRIVANDRUM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

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

PJ

A.HARIPRASAD, J.

B.A. No.7610 of 2015

Dated this the 7th day of December, 2015

ORDER

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

2. Eighth accused in Chirayinkeezhu Police Station Crime No.833 of 2015 registered for offences punishable under Sections 143, 147, 148, 308, 323, 324 and 364 read with Section 149 of the Indian Penal Code is the petitioner. He seeks bail.

3. It is that on 28.06.2015 at about 4.45 p.m., the petitioner along with other accused persons in furtherance of their common object formed into an unlawful assembly, armed with weapons and restrained the defacto complainant. He received a stab injury at the hands of some of the accused. Petitioner is in custody from 18.11.2015 onwards.

4. Heard both sides.

5. Learned counsel for the petitioner contended that as per order on B.A.No.6117 of 2015 dated 14.10.2015 this Court had granted bail to the first accused.

Petitioner in this case also stands on the same footing. Hence bail is granted with the same 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 be the persons permanently residing in the State of Kerala. They 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 for interrogation 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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