

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

Bail Appl..No. 7670 of 2015

CRIME NO. 710/2015 OF POZHIYOOR POLICE STATION , THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED :

**SREEKUMAR, AGED 50 YEARS,
S/O. SADASIVAN PILLAI, NANCHIVILA, VENKADAMPU P.O.,
THIRUVANANTHAPURAM.**

BY ADV. SRI.MANU V.

RESPONDENT(S)/COMPLAINANT STATE AND INVESTIGATING OFFICER :

- 1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR AT THE HIGH COURT
OF KERALA AT ERNAKULAM- 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
POZHIYOOR POLICE STATION, POZHIYOOR,
THIRUVANANTHAPURAM- 695 001.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON 11-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A. No.7670 of 2015

Dated this the 11th day of December, 2015

ORDER

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

2. Petitioner is the sole accused in Crime No.710 of 2015 of Pozhiyur Police Station registered for offences punishable under Sections 294(b), 323, 324 and 308 of the Indian Penal Code. He seeks bail.

3. Prosecution case is that on 06.10.2015 at about 6.15 a.m., while the defacto complainant was washing dress, petitioner assaulted her from behind and attacked the defacto complainant with an iron rod and caused an injury on the head.

4. Heard both sides. Perused the wound certificate.

Considering the nature of allegations and the fact that the petitioner and defacto complainant are neighbours and there are other disputes between them, bail is granted to the petitioner with following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹25,000/- (Rupees twentyfive 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 Saturdays 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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