

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

Bail Appl..No. 7689 of 2015 ()

**CRIME NO. 1203/2015 OF MALA POLICE STATION,
TRISSUR DISTRICT**

PETITIONER/ACCUSED NO.1 :

**VISHAL, AGED 25 YEARS,
S/O. MANOHARAN, KOTTUKARA HOUSE,
CURUTHIPALA DESOM, ANNALLUR VILLAGE.**

BY ADV. SRI.A.C.DEVY

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A No.7689 of 2015

Dated this the 10th day of December, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.1203/2015 of Mala Police Station registered for offences punishable under Sections 143, 147, 148, 452, 341, 323 and 324 r/w Section 149 I.P.C.

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

4. Prosecution case, in short, is that the petitioner along with other accused persons, as members of an unlawful assembly, armed with wooden sticks, attacked the defacto complainant by trespassing into his house. They caused injuries to the defacto complainant.

5. Learned counsel for the petitioner submitted that the petitioner has undergone 60 days in custody and thereby he is

entitled to get statutory bail. Admittedly, charge has not been filed. Hence, bail is granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on 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.
2. 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.
3. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 09.00 and 10.00 a.m until final report is filed.
4. The petitioner shall surrender his passport forthwith. If he does not have a passport, he shall swear to an affidavit to that effect and submit before the learned Magistrate having

jurisdiction.

5. The petitioner shall not indulge in any offence while on bail.
6. The petitioner 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 learned Magistrate is free to cancel bail without referring the matter to this Court.

**Sd/-
A.HARIPRASAD,
JUDGE.**

amk

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P.A to Judge