

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

Bail Appl..No. 7731 of 2015

CRIME NO. 964/2015 OF HOSDURG POLICE STATION, KASARAGOD.
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PETITIONER(S)/ACCUSED NO.1 AND 3:

- 1. SUNI, S/O.SURENDRAN,AGED 26 YEARS,
KALLATHARA HOUSE, VAZHAKODE,
KASARAGOD DISTRICT.**
- 2. BHARATH @ BHARATHRAJ, S/O.BABU RAO,
AGED 23 YEARS, GIRIJA NIVAS, ALAYIAYAL,
HOSDURG.**

**BY ADVS.SRI.P.S.SREEDHARAN PILLAI
SRI.T.K.SANDEEP
SRI.ARJUN SREEDHAR**

RESPONDENT/COMPLAINANT & STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 31.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A No.7731 of 2015

Dated this the 23rd day of December, 2015.

ORDER

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

2. Petitioners are the accused Nos.1 and 3 in Crime No.964/2015 of Hosdurg Police Station registered for offences punishable under Sections 341, 324, 326 and 307 r/w Section 34 I.P.C.

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

4. Prosecution case, in short, is that on 7-11-2015 at about 22.30 hours, the accused persons in furtherance of their common intention restrained the defacto complainant and attacked him with iron rods and knife with an intention to commit murder.

5. Learned counsel for the petitioners submitted that the petitioners are in custody from 16-11-2015 onwards.

Learned Public Prosecutor opposed the bail application. She submitted that the defacto complainant sustained grave injuries in the incident. Considering the stage of investigation and the number of days undergone in judicial custody, bail is granted to the petitioners with following strict conditions :

1. The petitioners shall be released on bail on executing a bond for Rs.1,00,000/- each (Rupees One lakh 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 petitioners 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 petitioners shall not enter the limits of Hosdurg Police Station for a period of three

months except for the purpose of appearing before the court/investigating officer.

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

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

//True copy//

P.A to Judge

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