

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

Bail Appl..No. 7744 of 2015 ()

CRIME NO. 772/2014 OF PERINGOME POLICE STATION, KANNUR DISTRICT

PETITIONER/2ND ACCUSED :

**P.V. RIVAJ
S/O. KHALID, AGED 29 YEARS
PUTHIYAPURAYIL HOUSE, NABEESA MANZIL
KORAN PEEDIKA, PARIYARAM POST, KANNUR DISTRICT
PIN-670502.**

BY ADV. SRI.P.K.RAVI SANKAR

RESPONDENT:

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

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.7744 of 2015

Dated this the 14th day of December 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.772 of 2014 of Peringome Police station registered for the offences punishable under Secs.143, 147, 148, 341, 427, 324 and 307 read with Sec.149 of the Indian Penal Code and Sec.25 of the Arms Act. The prosecution allegation is that, on 28.10.2014 at about 7.55 hours, while the defacto complainant was proceeding on a motorcycle, the petitioner along with other accused obstructed his journey and thereafter attacked him with iron rod and sword. The accused persons inflicted cut injury on the defacto complainant with a view to commit murder. Petitioner is in custody from 14.10.2015 onwards.

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

4. Learned Public Prosecutor opposed the bail application contending that the petitioner is involved in

six other crimes. He is also booked under the KAPPA. Final report has not been filed in this case.

Considering the antecedents of the petitioner, bail is granted to the petitioner with the following strict conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh 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 and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before

the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall surrender his passport before the lower court concerned or if he does not have the same, file an affidavit to that effect.

vi. The petitioner shall not leave the limits of Kannur District without obtaining permission from the learned Magistrate having jurisdiction.

vii. The petitioner, except for the purpose of complying with the directions in this order, shall not enter the limits of Peringome Police station for a period of three months.

viii. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the

evidence.

ix. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/14/12/2015

P.A. To Judge