

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Bail Appl..No. 7775 of 2015

CRIME NO. 2799/2015 OF KOTTARAKKARA POLICE STATION, KOLLAM DISTRICT.

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PETITIONER(S)/ACCUSED 1, 2, 5 AND 7:

- 1. PRAVEEN KUMAR, S/O.DILEEP KUMAR,
AGED 23 YEARS, PRAVEEN NIVAS,
AMBALAKKARA MURI,
UMMANNOOR VILLAGE, KOLLAM.**
- 2. SYAM RAJ @ CHANTHU, S/O.RAJENDRAN PILLAI,
AGED 22 YEARS, RENTED HOUSE OF GEORGEKUTTY,
AMBALAKKARA MURI, UMMANNOOR VILLAGE,
KOLLAM, @ RAJENDRABHAVAN, IDAKKIDOM MURI,
KAREEPRA VILLAGE, KOLLAM.**
- 3. GOKUL, S/O.RAJENDRAN PILLAI, AGED 19 YEARS,
RAHUL BHAVAN, AMBLAKKARA MURI,
UMMANNOOR VILLAGE, KOLLAM.**
- 4. SUDHEESH @ SAMBHU,
S/O.SURENDRAN PILLAI, AGED 18 YEARS,
SUDHEESH BHAVANAM, AMBALAKKARA MURI,
UMMANNOOR VILLAGE, KOLLAM.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT/COMPLAINANT & STATE:

**STATE, REP. BY THE STATION HOUSE OFFICER,
KOTTARAKKARA POLICE STATION, KOTTARAKKARA,
KOLLAM DISTRICT, THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A No.7775 of 2015

Dated this the 16th day of December, 2015.

ORDER

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

2. Petitioners are the accused Nos.1, 2, 5 and 7 in Crime No.2799/2015 of Kottarakkara Police Station registered for offences punishable under Sections 143, 147, 148, 294(b), 324 and 307 r/w Section 149 I.P.C.

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

4. Prosecution case, in short, is that on 21-11-2015 at about 9.30 p.m., the accused persons in furtherance of their common object of committing an offence, armed with weapons, abused the defacto complainant and attacked him with sword stick etc. They inflicted injuries and thereby attempted to commit murder of the defacto complainant.

5. Learned counsel for the petitioners submitted that

the petitioners are in custody from 24-11-2015 onwards and further detention is not necessary. Learned Public Prosecutor submitted that all petitioners are involved in other crimes registered under Sections 323 and 324 I.P.C. She further submitted that after registration of this crime, a number of crimes have been registered as a sequel to this incident. So there is a law and order issue in the area. Considering the nature of allegations, bail is granted to the petitioners with following strict conditions :

1. The petitioners shall be released on bail on executing a bond for Rs.50,000/- each (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 petitioners shall appear before the Investigating Officer on all Saturdays between 09.00 and 10.00 a.m until final report is filed.
4. The petitioners shall not enter the limits of Kottrakara Police Station for a period of three months except for the purpose of appearing before the court/investigating officer.
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.

//True copy//

P.A to Judge

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