

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Bail Appl..No. 7850 of 2015 ()

CRIME NO. 646/2015 OF MANJESHWAR POLICE STATION , KASARGOD DISTRICT

PETITIONER/ACCUSED:

**ABDUL NAZIR.K.I., AGED 20 YEARS,
S/O. IBRAHIM, R/AT M.N MANZIL, HILTOP NAGAR,
KUNJATHUR VILLAGE, MANJESHWAR,
KASARAGOD DISTRICT.**

BY ADV. SRI.KODOTH SREEDHARAN

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
THROUGH THE STATIO HOUSE OFFICER OF MANJESHWAR
POLICE STATION, REP. BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A. HARIPRASAD, J.

Bail Appl. No.7850 of 2015

Dated this the 21st day of December 2015

O R D E R

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

2. Petitioner is the 5th accused in Crime No.646 of 2015 of Manjeshwaram Police station registered for the offences punishable under Secs.143, 147, 148, 343, 333 and 307 read with Sec.149 of the Indian Penal Code. Prosecution case is that, on 16.11.2015 at about 01.15 a.m., the accused persons, as members of an unlawful assembly, armed with iron rod and other weapons, attacked the defacto complainant. The 1st and 2nd accused used iron rod to inflict injuries on the defacto complainant. The petitioner herein was a member of the unlawful assembly who shared the common object of attacking the defacto complainant. The petitioner is custody from 18.11.2015.

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

After hearing the learned counsel on both sides

and considering the nature of allegation, bail is granted to the petitioner with the following conditions.

i. The petitioner shall be released on bail on his 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.

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 Saturdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

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

vi. 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/21/12/2015

P.A. To Judge