

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

Bail Appl..No. 7974 of 2015

CRIME NO. 1434/2015 OF KOZHIKODE TOWN POLICE STATION, KOZHIKODE

PETITIONER(S)/ACCUSED:

**SREEDHARAN, AGED 53 YEARS,
S/O. RAYARAPPAN NAIR, KUPPANDI HOUSE, PALERI (P.O),
KOYILANDY TALUK, KOZHIKODE.**

**BY ADVS.SRI.NIDHI BALACHANDRAN
SRI.SABU GEORGE**

RESPONDENT(S)/STATE AND COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.**
- 2. SUB INSPECTOR OF POLICE,
TOWN POLICE STATION, KOZHIKODE 673 001.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No.7974 of 2015

Dated this the 17th day of December, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Accused in Kozhikode Town Police Station Crime No.1434 of 2015 registered for offences punishable under Sections 326, 308 and 506 (ii) of the Indian Penal Code is the petitioner. He is in custody from 16.11.2015 onwards. He seeks bail.

3. Prosecution case is that on 09.11.2015 the petitioner attacked the defacto complainant with a knife and caused serious injuries to left hand.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application.

6. Learned counsel for the petitioner submitted that the petitioner and the defacto complainant are brothers. They are involved in a property dispute and it is the motive for the attack.

Considering the nature of allegations and the number of days in custody, bail is granted to the petitioner with following conditions:

- i. Petitioner shall be released on bail on executing a bond

for ₹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 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.

iii. Petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

iv. Petitioner shall not indulge in any offence while on bail.

v. He 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 lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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