

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

Bail Appl..No. 8060 of 2015 ()

CRIME NO. 2028/2015 OF HARIPPAD POLICE STATION, ALAPPUZHA DISTRICT

PETITIONER/2ND ACCUSED :

**SREEJITH
S/O.GOPALA KRISHNAN, AGED 29 YEARS
RESIDING AT POOTTUPARAMBIL VEEDU
KARUVATTA NORTH MURI, KARUVATTA VILLAGE
ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.T.MADHU
SRI.B.S.SURAJ KRISHNA**

RESPONDENT/STATE :

**THE STATE OF KERALA
THROUGH THE STATION HOUSE OFFICER
HARIPAD POLICE STATION, ALAPPUZHA DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI. ABHIJETT LESSLI

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.8060 of 2015

Dated this the 18th 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.2028 of 2015 of Haripad Police station registered for the offences punishable under Secs.307, 202 and 120(b) read with Sec.34 of the Indian Penal Code. Prosecution case is that on 30.11.2015 at about 6.00 p.m., while the defacto complainant was standing at a place, the 1st accused came on a motorcycle and assaulted him by using an iron rod. The 2nd accused was also in the company of the 1st accused and they shared the common intention to attack the defacto complainant.

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

4. Learned counsel for the petitioner submitted that the petitioner is in custody from 09.12.2015 onwards and bail may be granted to him.

5. There is no case for the prosecution that the

petitioner used any weapon to attack the defacto complainant.

Considering facts and circumstances of the case, 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.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, except for the purpose of complying with the conditions in the bail order, shall not enter the limits of Haripad Police station for a period of three months.

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

vii. 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 /