

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. 8073 of 2015 ()

CRIME NO. 1020/2015 OF MAYYIL POLICE STATION, KANNUR DISTRICT.

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PETITIONERS/ACCUSED:

- 1. SAJITH. K., S/O. RAGHAVAN,
AGED 30 YEARS, KUYAMBIL HOUSE,
MAYYIL AMSOM DESOM, P.O. MAYYIL,
KANNUR DISTRICT.**
- 2. K.C. JITHIN, S/O. PREMAN,
AGED 25 YEARS, K.C. HOUSE,
MAYYIL AMSOM DESOM, P.O. MAYYIL,
KANNUR DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN,
SRI.A.ARUNKUMAR.**

RESPONDENTS/COMPLAINANT & STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE STATION HOUSE OFFICER,
(CRIME NO. 1020 OF 2015 OF MAYYIL POLICE STATION),
KANNUR DISTRICT-670 001.**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

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

rs.

A.HARIPRASAD, J.

B.A. No.8073 of 2015

Dated this the 21st day of December, 2015

ORDER

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

2. Accused in Crime No.1020 of 2015 of Mayyil Police Station registered for offences punishable under Sections 143, 147, 148, 341, 324, 326, 307 and 506(i) read with Section 149 of the Indian Penal Code are the petitioners. They seek bail.

3. Allegation is that on 03.11.2015 at 20.00 hours while the defacto complainant and others were sitting in a shed, workers of CPM party came under the leadership of the accused with iron rods, sword, etc. and attacked the defacto complainant and others. The victim sustained fracture and other serious injuries.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application. The wound certificate shows that the victim sustained very serious injuries.

6. Learned counsel for the petitioners submitted that the petitioners are in custody from 17.11.2015 onwards.

Considering the stage of investigation and number of days in custody, bail is granted to the petitioners with following strict conditions:

i. Petitioners shall be released on bail on each one of them executing a bond for ₹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 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. Petitioners 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. Petitioners shall not indulge in any offence while on bail.

v. They shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

vi. They shall not enter the limits of Mayyil Police Station until final report is filed except for the purpose of complying with the bail conditions.

If any of the above conditions is breached by the

petitioners, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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