

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

TUESDAY, THE 29TH DAY OF DECEMBER 2015/8TH POUSHA, 1937

Bail Appl..No. 8160 of 2015 ()

CRIME NO. 439/2015 OF MANANTHAVADY POLICE STATION , WAYANAD DISTRICT

PETITIONER/3RD ACCUSED :

**M.T.BASHEER @ KANIYAL BASHEER, AGED 34 YEARS,
S/O.ABU, MANNILCHODI HOUSE, CHETTAPPALAM P.O.,
KOTTAKUNNU, MANANTHAVADY, WAYANADU DISTRICT.**

BY ADV. SRI.JESWIN P.VARGHESE

RESPONDENT/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. V.H.JASMINE

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K.P.JYOTHINDRANATH, J.

B.A.No.8160 OF 2015

Dated this the 29th day of December , 2015

ORDER

This is an application filed by the third accused in Crime No.439/2015 of Mananthawady Police Station in Wayanad District. The offence alleged is under Section 384, 364(A) r/w Section 34 of IPC.

2. When the application came up for hearing, the learned counsel for the petitioner submitted before me that as per order in B.A.No.2989/2015, the first and second accused were granted bail by this Court.

3. I heard the learned Public Prosecutor. The learned Public Prosecutor submitted before me that police instruction has not been received so far. I perused the proceedings. It shows that notice was given as back as on 16.12.2015 and the original posting was on 23.12.2015. I have also perused the bail order whereby the first and

second accused were granted bail. I am inclined to grant bail to the petitioner herein also on the very same conditions, namely :

1) The petitioner will be released on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the lower court concerned.

2) The petitioner shall appear before the investigating officer between 10 a.m. And 11.30 a.m. on every Friday for three months, or till the final report is filed, whichever is earlier.

3) Petitioner shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.

4) Petitioner shall surrender his passport before the lower court concerned or if he does not have one, he shall file an affidavit to that effect within five days of his release.

5) Petitioner shall furnish security for Rs.5,22,000/- in the trial court in the form of Demand Draft or Bank Guarantee, or immovable property provided he deposits the original title deeds, which shall not be returned until the trial is over or the proceedings are closed

otherwise.

In case of violation, the lower court concerned is empowered to cancel the bail in accordance with law.

K.P.JYOTHINDRANATH
JUDGE

SV.