

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 27TH DAY OF MARCH 2015/6TH CHAITHRA, 1937

Bail Appl..No. 8742 of 2014

CRIME NO. 1015/2014 OF POONTHURA POLICE STATION , THIRUVANANTHAPURAM

PETITIONER/IST ACCUSED:

**ASHKAR, AGED 33 YEARS,
S/O.ASANARU PILLAI, T.C. 45/500 (A), PUTHUVAL PURAYIDOM,
BEEMAPALLY, THIRUVANANTHAPURAM.**

BY ADV. SRI.A.S.SHAMMY RAJ

RESPONDENT(S)/COMPLAINANT AND STATE OF KERALA:

- 1. THE SUB INSPECTOR OF POLICE, POONTHURA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682 031.**

R BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

AD/

K.ABRAHAM MATHEW, J.

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B.A.No.8742 of 2014

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Dated this the 27th day of March, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

Petitioner is the accused in Crime No.1015/2014 of Poonthura Police Station originally registered for the offences under Sections 307 and 324 read with 34 IPC. Later, offences under Sections 294(B) and 506(1) IPC also were incorporated.

2. The allegation is that the petitioner threw a stone at the victim causing fracture of his skull.

3. Heard.

4. The petitioner and the victim are neighbours and relatives. There was a property dispute between them. Having regard to the nature of the weapon used, I am inclined to grant the prayer of the petitioner, as his custodial interrogation is not necessary.

In the result, this application is allowed.

1) The petitioner shall be released on bail on his executing a bond for ₹25,000/-(Rupees twenty five thousand only) with two solvent sureties each for the like sum if he is

arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer for interrogation between 3pm and 4 pm on the 1st and 3rd Saturdays for a period of three months.

3) He shall not destroy or tamper with evidence.

4) In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

K.ABRAHAM MATHEW, JUDGE

sj