

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

Bail Appl..No. 9219 of 2014 ()

CRIME NO. 590/2014 OF BEDAKAM POLICE STATION ,KASARGOD DISTRICT

PETITIONER/1ST ACCUSED:

**MAJEED @ MADHAVAN, AGED 32 YEARS,
S/O. THAMBAN NAIR, PANANKUNDIL HOUSE,
MANIMOOLA, MOTTA, BANDADKA VILLAGE,
PADUPPU, KASARAGOD 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. 590 OF 2014 OF BEDAKAM POLICE STATION),
KASARAGOD DISTRICT-671 121.**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

B.KEMAL PASHA, J.

.....
B.A. No.9219 OF 2014
.....

Dated this the 8^h day of January, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.590/2014 of the Bedakam Police Station, Kasaragod registered for the offences punishable under Sections 143, 147, 148, 324 and 308 read with Section 149 of the Indian Penal Code.

3. The allegation against the petitioner and the other accused is that on 03.12.2014 at 8.45 am they formed themselves into an unlawful assembly armed with deadly weapons and committed rioting and rioting armed with deadly weapons, and attacked the defacto complainant and his friends who are the sympathisers of a rival political party, thereby attempting to commit culpable homicide. The petitioner was arrested on 14.12.2014 and thereafter he has

been in custody.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor. Perused the CD.

5. No criminal antecedents have been reported against the petitioner. The contents of the CD reveal that the investigation of this case is practically over. Continued detention of the petitioner in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the absence of any criminal antecedents on his part, I am of the view that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, and subject to the following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Thursdays and Mondays commencing from 15.01.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge