

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

CrI.MC.No. 5672 of 2015 ()

**CRL.MP. NO.5141/2015 OF SESSIONS COURT, ALAPPUZHA.
(CBCID CRIME NO. 51/CR/EOW-I/KLM 11)
(ORIGINALLY REGD. AS CRIME NO.1172/2010 OF ALAPPUZHA NORTH
POLICE STATION.**

PETITIONER/PETITIONER/ACCUSED NO. 3:

**R. MOHANRAMAN, AGED 75 YEARS,
S/O. RATHNAGIRI, NEW NO.VII, (OLD NO.17),
NYNAN STREET, ST. MARYS ROAD,
ABHIRAMAPURAM, CHENNAI- 600 028.**

**BY SRI.P.JACOB VARGHESE, SENIOR ADVOCATE.
ADVS. SRI.VIVEK VARGHESE P.J.,
SRI.VARUGHESE M EASO.**

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE HOME SECRETARY TO
GOVT. OF KERALA BY THE DETECTIVE INSPECTOR,
CBCID, EOW-1, PATHANAMTHITTA,
REPRESENTED THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 030.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 19-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE A** **TRUE COPY OF THE CERTIFICATE DTD. 15/08/2015 ISSUED BY DR.R. JAYACHANDRAN, MEDICAL DIRECTOR OF TRINITY ACUTE CARE HOSPITAL, CHENNAI.**
- ANNEXURE B** **THE TRUE COPY OF THE MEDICAL RECORDS EVIDENCING PETITIONER'S HEALTH CONDITION ISSUED BY THE TRINITY ACUTE CARE HOSPITAL,CHENNAI AND DEPARTMENT OF CARDIOLOGY, MEDICAL COLLEGE HOSPITAL, TRIVANDRUM.**
- ANNEXURE C** **TRUE COPY OF ORDER DATED 11/08/2015 IN CRL MP NO.5141/2015 BY THE SESSIONS JUDGE, ALAPPUZHA.**

RESPONDENT'S ANNEXURES:- **NIL.**

//TRUE COPY//

PA. TO JUDGE

rs.

ALEXANDER THOMAS, J.

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Crl.M.C No.5672 of 2015

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Dated this the 19th day of August, 2015

O R D E R

The prayer in this Crl.M.C is for an order from this Court to delete or modify the impugned condition No.1 of Anx.C order dated 11.8.2015 rendered by the Sessions Court, Alappuzha on CMP No.5141/2015 in CBCID Crime No.51/CR/EOW-1/KLM11.

2. Heard Sri.Varghese & Jacob, learned Senior Counsel instructed by Sri.P.J Vivek Varghese, the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent, State of Kerala.

3. It is submitted by the learned counsel for the petitioner that the petitioner is an elderly person, aged about 75 years and that he is a patient who is suffering serious ailments as revealed by Anx.B and that he is based in Chennai and that though the court below has granted him bail, the impugned condition No.1 of Anx.C bail order is that he should report before the Investigating Officer in between 9. a.m and 11 a.m on all Mondays and Thursdays

commencing from 17.8.2015 for a period of four months or till the filing of the final report in the case in question, whichever is earlier should be deleted or it is modified appropriately in the interest of justice. Having regard to the facts and circumstances of this case, it is ordered that the impugned condition No.1 shall stand modified and substitute as follows:

'The petitioner shall report before the Investigating Officer on Second Saturdays of every month between 1. p.m for a peirod of 4 months or till the filing of the final report in the case, whichever is earlier. If the petitioner wants any further modification of this condition, he will be at liberty to approach the court below for appropriate orders.'

With these observations and directions, the Crl.M.C stands finally disposed of.

sd/-

sab

ALEXANDER THOMAS, JUDGE