

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 28TH SEPTEMBER 2006 / 6TH ASWINA 1928

Bail Appl..No. 5832 of 2006()

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CRIME NO.231/2006 OF EDACHERY POLICE STATION  
CMP.4763/2006 of J.M.F.C.,VADAKARA  
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PETITIONER/IST ACCUSED.  
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SHAHEER, S/O.ABOOBACKER,  
CHILLIYIL HOUSE,  
P.O.CHOMBALA, VADAKARA TALUK.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT.  
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STATE OF KERALA, THROUGH THE  
SUB INSPECTOR OF POLICE,  
EDACHERY POLICE STATION, REPRESENTED BY THE  
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,  
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 28/09/2006, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**J.M.JAMES, J.**

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B.A. No. 5832 of 2006  
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Dated this the 28<sup>th</sup> day of September, 2006

**O R D E R**

The petitioner is the first accused in Crime No.231/2006 of Edachery Police Station, for the offence punishable under Sections 143, 147, 148, 323, 324 and 308 I.P.C read with Section 149 of the Indian Penal Code. The petitioner was arrested on 17/09/2006. He is in judicial custody.

2. I heard the arguments advanced by both sides. Perused the wound certificate as well as the case diary file. Considering that the petitioner was questioned by the Investigating Officer, I do not find that the petitioner has to continue in judicial custody. Therefore, I grant bail to the petitioner and release him from jail, on imposing the following conditions:-

i. The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties each for the like sum, to the satisfaction of the

Judicial Magistrate of the First Class, Vatakara.

ii. The petitioner shall report before the Investigating Officer, once in a week, on every Tuesday, between 10 a.m and 11 a.m, for a period of two months, starting from 03/10/2006.

**(J.M.JAMES)**  
Judge

ms