

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE P.D.RAJAN**

**TUESDAY, THE 30TH DAY OF APRIL 2013/10TH VAISAKHA 1935**

**Bail Appl..No. 3136 of 2013 ()**  
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**CRIME NO. 655/2013 OF CHADAYAMANAGALAM POLICE STATION , KOLLAM**  
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**PETITIONER/ACCUSED:**  
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**RAJESH, AGED 35 YEARS  
S/O.JOHNY, RAJESH BHAVAN, MALAPPERUR MURI  
KOTTUKKAL VILLAGE, KOTTARAKKARA TALUK  
KOLLAM DISTRICT.**

**BY ADV. SRI.K.V.ANIL KUMAR**

**RESPONDENT/COMPLAINANT:**  
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**STATE OF KERALA  
REPRESENTED BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-04-2013,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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**P.D. RAJAN, J.**

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B.A.No.3136 of 2013  
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Dated this the 30<sup>th</sup> day of April, 2013

**ORDER**

The petitioner is the accused in Crime No.655/2013 of Chadayamangalam Police Station, Kollam, which is registered for the offences punishable under Sections 294(b), 324 and 308 IPC. The prosecution case is that on 8.4.2013 at about 21.00 hours, the petitioner called obscene words against the defacto complainant and assaulted the defacto complainant with a broken glass bottle, as a result, he sustained serious injuries. Immediately, he was removed to hospital. On the basis of the information, Chadayamangalam Police registered the above crime and investigates. The petitioner was arrested on 10.4.2013 and remanded to judicial custody, his bail application was dismissed by the Judicial First Class Magistrate-II, Kottarakkara, hence, he approached this Court for bail.

2. Heard both sides. The learned counsel appearing for

the petitioner submits that the petitioner sustained only minor injuries and no offence under Section 308 attracts, which is clear from the wound certificate. The investigation is practically completed. He is ready to obey any condition imposed by this Court, hence, he prays for bail.

3. The learned Public Prosecutor submits that if he is enlarged on bail, stringent conditions may be imposed on him.

4. I have considered the facts and circumstances of the case and progress in the investigation. The object of arrest and detention of the accused person is primarily to secure his appearance at the time of trial and to ensure that in case he is found guilty he is available to receive the sentence. I have perused the case diary and report submitted by the Public Prosecutor. The case records show that the investigation is practically completed. Witnesses were questioned. Hence, further detention in custody of the petitioner is not necessary. In the circumstance, petitioner is enlarged on bail according to the following stringent conditions:

i) The petitioner shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like amount to the satisfaction of Judicial First Class Magistrate Court-II, Kottarakara.

ii) The petitioner shall not commit any offence similar to the offence of which he is accused of during this period.

iii) The petitioner shall not make any inducement, threat or promise to any person or influence, incite or intimidate any prosecution witnesses directly or indirectly acquainted with the facts of the case.

iv) The petitioner shall make himself available for interrogation during this period as and when required by the investigating officer.

v) The petitioner shall not tamper with the prosecution evidence during bail.

The above conditions are imposed for preventing the

escape of the accused or preventing repetition of the offence in the interest of justice. If the petitioner violates any of the above conditions, the bail granted to him shall be liable to be cancelled by this Court. It shall be open for the investigating officer to approach this court for cancellation of the bail.

The bail application is allowed.

**P.D. RAJAN, JUDGE.**

acd

