

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

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936**

**Bail Appl..No. 9127 of 2014 ()**

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**CRIME NO. 554/2014 OF PAYANGADI POLICE STATION, KANNUR DISTRICT.**

**.....**

**PETITIONER/3RD ACCUSED :**

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**T.P.ABID, AGED 32 YEARS,  
S/O. MAMMU, THAZHEPURAYIL HOUSE,  
VENGARA P.O., KANNUR DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN,  
SRI.P.K.SUBHASH.**

**RESPONDENTS/COMPLAINANT/STATE :**

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- 1. STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE STATION HOUSE OFFICER,  
(CRIME NO.554 OF 2014 OF PAZHAYANGADI POLICE STATION),  
KANNUR DISTRICT-670 001.**

**BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 30-12-2014, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**rs.**

**B.KEMAL PASHA, J.**

.....  
B.A. No. 9127 OF 2014  
.....

Dated this the 30<sup>th</sup> day of December, 2014

**ORDER**

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the third accused in Crime No.554/2014 of the Pazhayangadi Police Station, Kannur registered for the offences punishable under Sections 341, 323, 324 and 308 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner and the other accused is that on 10.09.2014 at 6 pm, they, in furtherance of their common intention, wrongfully restrained the defacto complainant, hit him with a granite stone on his head and thereby attempting to commit culpable homicide. The petitioner has been in custody for the period from

14.12.2014 onwards.

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 Fridays and Tuesdays commencing from 02.01.2015 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