

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

THURSDAY, THE 31ST DAY OF MARCH 2016/11TH CHAITHRA, 1938

Bail Appl..No. 2315 of 2016 ()

CRIME NO. 258/2016 OF PAYYANNUR POLICE STATION , KANNUR

PETITIONER/ACCUSED NO.1:

PRADEESH A.K AGED 27 YEARS
S/O.PRABHAKARAN,
PAVOOR HOUSE,
VELLUR ALINKEEZHIL,
NEAR KOTTANCHERRY TEMPLE,
PAYYANNUR, KANNUR DISTRICT.

BY ADVS. SRI.M.SASINDRAN
SRI.A.ARUNKUMAR

RESPONDENTS/DEFACTO COMPLAINANT & STATE:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.
2. THE STATION HOUSE OFFICER
(CRIME NO. 258 OF 2016 OF PAYYANNUR
POLICE STATION) KANNUR DISTRICT. 670 001.

BY PUBLIC PROSECUTOR:SMT.T.Y.LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31-03-2016,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SUNIL THOMAS, J.

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B.A.No.2315 of 2016

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Dated this the 31st day of March, 2016

ORDER

Petitioner herein is the first accused in Crime No.258 of 2016 of Payyannur Police Station for offences punishable under Sections 341, 323, 324, 294(b), 326 and 308 r/w 34 of the Indian Penal Code.

2. According to the prosecution, on 04.02.2016 at about 5.30p.m., the accused wrongfully restrained the de facto complainant and the first accused, using an iron rod, hit on the various parts of the body. Crime was registered thereupon. The petitioner was arrested and is in custody since 23.02.2016. He seeks bail.

3. The wound certificate indicates that the de facto complainant had sustained an injury on the right knee, which had to be sutured after tendon repair. The main overt act is attributed to the first accused/petitioner herein, who is stated to be involved in another offence under Section 307 of the Indian Penal Code.

4. Having regard to the fact that the main overt act was attributed to the first accused, the earlier application filed by him

along with others was partly allowed and bail application of the petitioner herein was dismissed by order dated 09.03.2016. Investigation has substantially progressed thereafter. Having regard to the nature of allegations and the progress made in the investigation, I am inclined to grant bail to the petitioner subject to the following conditions.

(i) Petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with two sureties for the like sum each to the satisfaction of the jurisdictional Court.

(ii) He shall appear before the Investigating Officer on all Mondays and Fridays between 9 a.m. and 10 a.m. for a period of two months from the date of his release.

(iii) He shall not threaten, coerce or intimidate the de facto complainant and the witnesses nor shall he interfere in the process of investigation.

(iv) He shall not get involved in any other identical offences.

Sd/-
SUNIL THOMAS
Judge

Sbna/31/3/16

True Copy

P A to Judge