

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 28TH DAY OF FEBRUARY 2017/9TH PHALGUNA, 1938

Bail Appl..No. 1230 of 2017 ()

CRIME NO. 106/2017 OF OTTAPALAM POLICE STATION, PALAKKAD

PETITIONER(S)/2ND ACCUSED:

SAJEEV,
AGED 24 YEARS, S/O. SANTHAKUMARAN,
CHERATTUTHODIYIL HOUSE, KAYALPALLA,
AKALUR POST, OTTAPALAM TALUK,
PALAKKAD DISTRICT.

BY ADVS.SRI.R.SREEHARI
SRI.SACHIN VYAS

RESPONDENT(S)/COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
THROUGH THE SUB INSPECTOR OF POLICE,
OTTAPALAM POLICE STATION, PALAKKAD DISTRICT,
PIN - 679 101.

BY PUBLIC PROSECUTOR SRI. SAJJU S.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-02-2017, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

SKG

K.ABRAHAM MATHEW, J.

B.A.No.1230 of 2017

Dated this the 28th day of February, 2017

ORDER

Petition filed under Section 439(1) Cr.P.C.

2. Petitioner is the second accused in Crime No.106 of 2017 of Ottapalam Police Station registered for the offences under Sections 143, 147, 148, 308, 323 and 324 r/w Section 149 of the IPC.

3. The prosecution case is that the petitioner along with the co-accused armed with deadly weapons like iron rods, stones and sticks formed themselves into an unlawful assembly and assaulted the victims with the weapons causing them injuries.

4. Learned counsel submits that the petitioner is not involved in the incident and he has been in custody for about one month.

5. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

6. The petitioner has been in custody since 31.1.2017. Having regard to the nature of the incident, I am satisfied that his

further detention is not necessary for completion of the investigation.

In the result, this Bail Application is allowed.

- i. The petitioner shall be released on bail on his executing a bond for Rs.25,000/-(Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the lower court concerned.
- ii. He shall appear before the Investigating Officer every first and third Saturdays between 3 p.m. and 4 p.m for three months or till the final report is filed, whichever is earlier.
- iii. He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.
- iv. He shall surrender his passport before the lower court concerned or if he does not have one he shall file an affidavit to that effect within five days of his release.

- v. He shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.

In case of violation, the lower court concerned is empowered to cancel the bail in accordance with the law.

Sd/-

K.ABRAHAM MATHEW, JUDGE

In

/True copy/

P.A. to Judge