

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

WEDNESDAY, THE 31ST DAY OF MARCH 2021 / 10TH CHAITHRA, 1943

Bail Appl.No.2765 OF 2021

CRIME NO.68/2021 OF Palode Police Station , Thiruvananthapuram

PETITIONER/S:

SOORYA KUMAR
AGED 19 YEARS
BHAGVATHI VILASOM, MELEVILA,
IDAVILAKAM, MURUKKUMPUZHA,
MANGALAPURAM, VEYILOOR VILLAGE,
THIRUVANANTHAPURAM - 695302.

BY ADV. SRI.M.R.SARIN

RESPONDENT/S:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682031.

R1 BY SRI.SANTHOSH PETER SR PP

OTHER PRESENT:

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
31.03.2021, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

O R D E R

Dated this the 31st day of March 2021

This is an application for regular bail under Section 439 of the Cr.P.C.

2. The applicant is the 3rd accused in Crime No.68/2021 of Palode Police Station for having allegedly committed the offences punishable under Sections 452, 324, 326, 307 and 201 read with Section 34 of the I.P.C.

3. The prosecution case, in brief, is that on 12.01.2021 at about 1.30 AM, the applicant in furtherance of common intention with the rest of the accused, trespassed into the house of the de facto complainant and broke open the front and back doors of the house and attacked him by means of dangerous weapons like chopper and knife, while he was engaged in watching the T.V. and attempted to commit murder.

4. The applicant states that he is innocent and the allegations are not true and that he has no other criminal antecedents and has been in custody since 17.01.2021, and therefore, seeks bail.

5. Heard the learned Counsel for the applicant and the learned Public Prosecutor.

6. The allegation against the applicant is that he was also wielding the weapon with which he and other co-accused caused very serious injuries to the de facto complainant. Five fractures were caused to the de facto complainant on his leg and hand. The applicant is only 19 years old. It is admitted that he has no criminal antecedents. Under the circumstances, I find that further incarceration of the applicant need not be required. The final report has also been filed after the completion of the investigation. Hence, the application is only to be allowed.

As a result, the bail application is allowed and the applicant is directed to be released on bail on the execution of a bond for Rs.50,000/- (Rupees fifty

thousand only), with two solvent sureties each for the like amount to the satisfaction of the jurisdictional court, on the following other conditions:

- i) He shall appear before the investigating officer as and when called for and shall cooperate with the investigation;
- ii) He shall not attempt to influence or intimidate the witnesses; and
- iii) He shall not get involved in similar offences during the currency of the bail.

In case of breach of any of the bail conditions, the prosecution shall be at liberty to apply for cancellation of the bail before the jurisdictional Court.

Sd/-

ASHOK MENON

JUDGE

dkr