

Roy Vs. State of Kerala

Roy Vs. State of Kerala

SooperKanoon Citation : sooperkanoon.com/1009933

Court : Kerala

Decided On : Jan-04-2013

Judge : Honourable Mr.Justice Antony Dominic

Appellant : Roy

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.BHAVADASAN FRIDAY, THE 4TH DAY OF JANUARY 2013 14TH POUSHA 193 Bail Appl..No. 9310 of 2012 (C) ----- (CRIME NO.1973/12 OF KATTAPPANA POLICE STATION, IDUKKI DISTRICT) PETITIONER/ACCUSED ----- ROY, AGED 4 YEARS, S/O. M.G.MATHEW, NYAVALLIL HOUSE, KATTAPPANA KARA, UDUMBANCHOLA TALUK (CONDUCTOR OF HOLLY FAMILY BUS) BY ADVS.SRI.S.RAJEEV SRI.K.K.DHEERENDRA KRISHNAN RESPONDENTS/STATE: ----- 1. STATE OF KERALA, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM

031. (CRIME NO.1973/12 OF KATTAPPPANA POLICE STATION, IDUKKI DISTRICT) 2. STATION HOUSE OFFICER, KATTAPPANA POLICE STATION, IDUKKI DISTRICT

508. (CRIME NO.1973/12 OF KATTAPPANA POLICE STATION, IDUKKI DISTRICT) BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04-01-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: MJL P. BHAVADASAN, J.

----- B.A. No. 9310 of 2012 -----

----- Dated this the 4th day of January, 2013. ORDER Petitioner is the sole accused in Crime No. 1973 of 2012 of Kattappana Police Station, who is alleged to have committed offences punishable under Sections 353, 427 and 294(b) I.P.C.

2. The petitioner would say that he is innocent and was unaware of the fact that the person with whom he had a tiff was a staff of the court.

3. After having heard learned counsel for the petitioner and the learned Public Prosecutor and after perusing the records, there seems to be considerable force in the submission made by the learned counsel for the petitioner. Suffice is to say, it is felt that this is a fit case where the extraordinary jurisdiction needs to be exercised in favour of the petitioner. B.A.9310/2012. 2 Therefore, this application is allowed on the following conditions: i) Petitioner shall surrender before the Investigating Officer on or before 15.01.2013, who after interrogation shall produce him before the JFCM court concerned, which court, on application for bail being moved by the petitioner, shall release him on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two solvent sureties for the like sum each to the satisfaction of the said court. ii) The learned Magistrate may ensure the identity of the sureties and the veracity of the tax receipts produced by the sureties for the purpose of executing the bond. iii) Petitioner shall report before the Investigating Officer as and when required by him. B.A.9310/2012. 3 iv) Petitioner shall not tamper or attempt to tamper with the evidence or influence or try to influence the witnesses. v) If any condition is violated, bail granted to the petitioner shall stand cancelled, and the JFCM court concerned may take such proceedings as are available to him in law. P. BHAVADASAN, JUDGE sb.