

Ramesh Vs. State of Kerala

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Court : Kerala

Decided On : Dec-28-2012

Judge : Hon'Ble Mr. Justice Babu Mathew P.Joseph

Appellant : Ramesh

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HON'BLE MR. JUSTICE BABU MATHEW P.JOSEPH FRIDAY, THE 28TH DAY OF DECEMBER 2012 7TH POUSHA 193 Bail Appl.No. 9757 of 2012 () ----- (CRIME NO.1391/2012 OF KURUPPUMPADI POLICE STATION, ERNAKULAM DISTRICT) ACCUSED(S)/ACCUSED NOS:1, 2 AND 3.----- 1. RAMESH, AGED 4 YEARS S/O. VELAPPAN PILLAI, MANIVELIKKUZHI VEEDU RESIDING AT PADIKKAL PUTHEN VEEDU CHERUKUNNAM KARA, ASAMANNUR VILLAGE KUNNATHU NADU TALUK.

2. DILEEP.G.PILLAI. @ DINOOSH, AGED 2 YEARS PRATHIBHA, PADIKKAL PUTHEN VEEDU, CHERUKUNNAM KARA ASAMANNUR VILLAGE, KUNNATHU NADU TALUK.

3. GOPINATHA PILLAI,, AGED 6 YEARS NARAYANA PILLAI,PRATHIBHA,PADIKKAL PUTHEN VEEDU CHERUKUNNAM KARA, ASAMANNUR VILLAGE KUNNATHU NADU TALUK. BY ADVS.SRI.B.RAMAN

PILLAI SRI.R.ANIL SRI.ANIL K.MOHAMMED SRI.SUJESH MENON V.B.
SRI.T.ANIL KUMAR SRI.MANU TOM SRI.THOMAS ABRAHAM
(NILACKAPPILLIL) COMPLAINANT(S)/COMPLAINANT: -----
STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR HIGH
COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SRI.
P.M.SANEER THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON
28-12-2012, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:
BABU MATHEW P. JOSEPH, J.

----- B.A. No. 9757 of 2012
----- Dated this the 28th day of
December, 2012 ORDER This petition is filed under Section 439 of Cr.P.C. for
bail.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor.
C.D. produced.

3. The petitioners are accused 1, 2 and 3 in Crime No.1391 of 2012 of
Kuruppumpadi Police Station. The offences alleged are under Sections 447, 441,
323, 324, 326 and 307 r/w Section 34 of IPC. The petitioners 1 and 2 were
arrested on 30.11.2012 and the third petitioner was arrested on 1.12.2012. They
were produced before the court on 1.12.2012. They were remanded to judicial
custody., They continue to be in custody. Learned counsel for the petitioners
submits that the petitioners are innocent of the allegations raised against them.
The investigation of the case is almost over. The petitioners have no criminal
antecedents. The continued custody of the petitioners is not required for
completing the investigation.

4. Learned Public Prosecutor has opposed this petition. He [B.A.No.9757/2012] 2
has not disputed the fact that the petitioners have no criminal antecedents. The
Case Diary shows that the investigation of the case has progressed much. In view
of these facts and the period the petitioners have already spent in jail, they can be
granted bail imposing appropriate conditions. Therefore, the petitioners are
granted bail subject to the following conditions:

- 1) The petitioners shall be released on bail on their executing bonds for Rs.25,000/- (Rupees Twenty Five Thousand only) each with two solvent sureties each for the like sum to the satisfaction of the concerned Magistrate's Court.
- 2) The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Fridays for a period of two months.
- 3) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.
- 4) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.
- 5) The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the [B.A.No.9757/2012] 3 evidence for the prosecution.
- 6) The petitioners shall not commit any similar offence while on bail.
- 7) The petitioners shall not leave India without the previous permission of the concerned Magistrate's Court. This application is allowed as above. Sd/- BABU MATHEW P. JOSEPH, JUDGE. krs.