

Radhakrishnan Vs. State of Kerala

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Court : Kerala

Decided On : Aug-27-2013

Judge : Honourable Mr.Justice P.Bhavadasan

Appellant : Radhakrishnan

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.BHAVADASAN TUESDAY, THE 27TH DAY OF AUGUST 2013 5TH BHADRA, 1935 Bail Appl..No. 5548 of 2013 ()
----- CRIME NO. 1113/2013 OF NARAKKAL POLICE STATION,ERNAKULAM ----- PETITIONER/ACCUSED: -----
RADHAKRISHNAN, AGED 4 YEARS, S/O SANKARAN, PANTHITHARA HOUSE, NAYARAMBALAM P.O.,ERNAKULAM DISTRICT BY ADV. SRI.T.N.SURESH
RESPONDENTS/ STATE AND DEFACTO COMPLAINANT:
----- 1. STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM KOCHI 68203 2. RETNAVALLY, AGED 7 YEARS W/O RAJAN, MALIACKAL VEEDU, NAYARAMBALAM P.O., ERNAKULAM DISTRICT 68350 . R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN R2 BY ADV. SRI.P.K.VARGHESE THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27-08-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: BP P.BHAVADASAN, J.

----- Bail Application No.5548 OF
201.----- Dated this the 27th day of August, 2013.

ORDER

The petitioner stands accused of having committed the offence punishable under Section 326 of Indian Penal Code. The allegation against the petitioner is that on 11.07.2013 at about 6.45 p.m, he attacked the de facto complainant and caused fracture to her nasal bone.

2. It is unnecessary to go into the details of the case for the simple reason that the petitioner has impleaded the de facto complainant as 2nd respondent in the petition. The 2nd respondent has entered appearance through counsel and it is pointed out that the issue has been settled and that the de facto complainant has no further grievance in the matter. In the light of the said fact, the application needs to be allowed. The application is allowed on the following conditions: i) The petitioner shall surrender before the Investigating Officer on or before 03.09.2013 who, after B.A. No.5548/2013 2 interrogation, shall produce him before the Court concerned, which court, on application for bail being moved by the petitioner, shall release him on bail on his executing 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 Court concerned. ii) The Court concerned shall ensure the identity of the sureties and also the veracity of the tax receipts produced by them. iii) The petitioner shall report before the Investigating Officer on every Wednesday between 9 a.m and 10 a.m until further orders. iv) The petitioner shall not tamper or attempt to tamper with the evidence or influence or try to influence the witness. v) If any of the condition is violated, the bail granted shall stand cancelled and the Court concerned, on being satisfied of the said fact, may take such steps as are available to him in law. Sd/- P.BHAVADASAN JUDGE smp