

**Chandini A. Vs. State of Kerala**

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**SooperKanoon Citation :** [sooperkanoon.com/1097313](http://sooperkanoon.com/1097313)

**Court :** Kerala

**Decided On :** Nov-06-2013

**Judge :** Honourable Mr.Justice Harun-Ul-Rashid

**Appellant :** Chandini A.

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH WEDNESDAY, THE 6TH DAY OF NOVEMBER 2013 15TH KARTHIKA, 1935 Bail Appl..No. 7377 of 2013 () ----- CRIME NO. 408/2013 OF ADHUR POLICE STATION , KASARGOD PETITIONER/ACCUSED: ----- VASANTHAN H., AGED 30 YEARS S/O.LATE BABU NAIK, PUTHIYAKANDAM HOUSE ADOOR VILLAGE. BY ADVS.SRI.P.V.KUNHIKRISHNAN SRI.P.V.ANOOP RESPONDENTS/COMPLAINANT AND STATE: ----- 1. SUB INSPECTOR OF POLICE, ADHUR POLICE STATION, KASARAGOD.

2. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682 031. BY PUBLIC PROSECUTOR: ADV LALIZA THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/11/2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: THOMAS P.JOSEPH, J.

Dated this the 06th day of November, 2013

## ORDER

Petitioner is accused, in Crime No.408 of 2013 of the Adhur Police Station for the offences punishable under Secs.323, 324 and 307 of the Indian Penal Code on the allegation that on 01.09.2013, he voluntarily caused hurt and attempted to cause death of Parameswaran Nair stabbing him with scissor, is in custody from 04.09.2013 and seeks bail.

2. Learned Public Prosecutor has submitted that investigation of the case is almost over and that recovery is effected but pointed out that the petitioner is convicted of the offence under Sec.55(a) of the Kerala Abkari Act in Crime No.13 of 2002 of the same Police Station and hence if at all this Court is inclined to grant bail, sufficient safeguards may be provided to ensure that the petitioner does not indulge in criminal activities and his presence in the Court is ensured.

3. I have heard the learned counsel for the petitioner as well.

4. Having regard to the above, I am inclined to grant bail but subject to stringent conditions. B.A.No.7377 of 2013 2 Resultantly this application is allowed as under: (i) Petitioner (accused in Crime No. 408 of 2013 of the Adhur Police Station) is granted bail and will be released, if not required to be detained otherwise on his executing bond for `30,000/- (Rupees Thirty Thousand Only) with two sureties for the like sum each to the satisfaction of the jurisdictional magistrate and subject to the following conditions: (a) Bail bond shall be executed within three weeks from this day. (b) One of the sureties shall be a close relative of the petitioner. (c) Petitioner shall report to the Officer investigating Crime No. 408 of 2013 of Adhur Police Station on every Saturday between 10 a.m and 12 p.m until filing of the final report and thereafter, on every alternate Saturday during the same time until committal of the case (if any). (d) Petitioner shall not, except with the permission of the jurisdictional magistrate (until committal of the case and thereafter of the learned Principal Session Judge concerned) go beyond Adhur Police Station limits until otherwise ordered by the learned magistrate/learned Principal Sessions

Judge, as the case may be. (e) Petitioner shall not, during the period of this bail get involved in any offence. B.A.No.7377 of 2013 3 (f) In case of violation of any of the conditions the bail granted hereby is liable to be cancelled by moving application before the jurisdictional magistrate or the learned Principal Sessions Judge, as aforesaid, as held in P.K Shaji Vs. State of Kerala (AIR 2006 SC100. Sd/- THOMAS P.JOSEPH, JUDGE. Sbna True Copy P A to Judge

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