

Ajayan P. Vs. State of Kerala

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Court : Kerala

Decided On : Feb-05-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Ajayan P.

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH WEDNESDAY, THE 5TH DAY OF FEBRUARY 2014 16TH MAGHA, 1935 Bail Appl..No. 756 of 2014 (D) ----- [CRIME NO. 1149/2013 OF PAYYANNUR POLICE STATION, KANNUR DISTRICT] PETITIONER/ACCUSED NO.2: ----- AJAYAN .P., S/O.KRISHNAN, AGED 36 YEARS, PAVOOR HOUSE, KOORKKARA, KOROM AMSOM. BY ADVS.SRI.M.SASINDRAN, SRI.A.ARUNKUMAR. RESPONDENTS/COMPLAINANT/STATE:

----- 1. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM - 682 031.

2. THE STATION HOUSE OFFICER, (CRIME NO.1149 OF 2013 OF PAYYANNUR POLICE STATION) KANNUR DISTRICT - 670 307. BY PUBLIC PROSECUTOR SRI. SREEJITH. THIS BAIL APPLICATION HAVING COME UP

FOR ADMISSION ON0502-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Prv. THOMAS P. JOSEPH, J.

----- Bail Appl. No.756 of 2014
----- Dated this the 5th day of February 2014

ORDER

Petitioner is the 2nd accused in Crime No.1149 of 2014 of the Payyannur Police station for the offences punishable under Secs.143, 147, 148, 341, 427 and 307 read with Sec.149 of the Indian Penal Code, is in custody from 05.12.2013 and seeks bail.

2. Learned Public Prosecutor has opposed the application. It is submitted that on 01.12.2013 at about 3.40 p.m., the petitioner and others attacked the defacto complainant and others.

3. Having heard both sides I am inclined to think that further custody of the petitioner is not required for investigation purpose. Hence I am inclined to grant relief to the petitioner but, subject to conditions to prevent recurrence of such incidents in future. The application is allowed as under. Petitioner is granted bail in Crime No.1149 of 2014 of the Payyannur Police station Bail Appl. No.756 of 2014 2 and shall be released, if not required to be detained otherwise on his executing bond for Rs.25,000/- (Rupees Twenty five thousand only) with two sureties for the like sum each to the satisfaction of the learned magistrate and subject to the following conditions: (a) One of the sureties shall be a close relative of the petitioner. (b) Petitioner shall report to the investigating officer on every Saturday between 10.00 am and 12.00 pm for a period of two months or until filing of the final report, whichever is earlier. (c) Petitioner shall report to the investigating officer as and when required for interrogation. (d) Petitioner, except if necessary for compliance of conditions nos.(b) and (c) shall not, until otherwise ordered and except with the permission of the learned magistrate until Bail Appl. No.756 of 2014 3 committal if any, and thereafter of the Principal Sessions Judge concerned enter Korom village (unless it is to attend any Court). (e) Petitioner shall not get involved any offence during the period of this bail. (f) Petitioner shall not intimidate

or influence the witnesses. (g) In case any of condition nos(b) to (f) is violated, it is open to the investigating officer to file application before the learned magistrate/Principal Sessions Judge as aforesaid, for cancellation of the bail granted hereby, as held in P.K. Shaji V. State of Kerala (AIR 2006 SC100. Sd/- THOMAS P. JOSEPH JUDGE /True Copy / NS P.A. To Judge

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