

Sreeju Vs. State of Kerala

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Court : Kerala

Decided On : Feb-18-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Sreeju

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH TUESDAY, THE 18TH DAY OF FEBRUARY 2014 29TH MAGHA, 1935 Bail Appl..No. 1134 of 2014 ----- CRIME NO. 207/2014 OF PATHANAMTHITTA POLICE STATION , PATHANAMTHITTA DISTRICT. ----- PETITIONER/6TH ACCUSED: ----- SREEJU, AGED 20 YEARS, S/O.SIVARAMAN, ALUKUZHAYIL VEEDU, THAZHEVETTIPURAM, MYLAPRA VILLAGE, PATHANAMTHITTA. BY ADV. SRI.VINOY VARGHESE KALLUMOOTTIL RESPONDENTS/COMPLAINANT & STATE: ----- 1. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM 682031.

2. SUB INSPECTOR OF POLICE, PATHANAMTHITTA POLICE STATION, PATHANAMTHITTA DISTRICT 689645. BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH THIS BAIL APPLICATION HAVING COME UP FOR

ADMISSION ON1802-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Msd. THOMAS P. JOSEPH. J.

===== Bail Application No. 1134 of 2014
===== Dated this the 18th February, 2014

ORDER

Petitioner is the 6th accused in Crime No.207 of 2014 of the Pathanamthitta police station for the offences punishable under Secs.143, 147, 148 and 307 r/w. Sec.149 of the Penal Code, is in custody from 04.02.2014 and seeks bail.

2. Learned Public Prosecutor has opposed the application. It is submitted that on the relevant day the petitioner and others attacked the de facto complainant and others in the General Hospital, Pathanamthitta.

3. Learned counsel submits that there is no specific over act attributed to the petitioner. It is also submitted that the incident occurred as part of student politics. Petitioner was an independent candidate at the election and is not connected with either of the groups involved. B.A No.1134 of 2014 2 4. Having regard to the circumstances and considering the allegations against the petitioner, I am inclined to grant relief to him but subject to conditions to prevent recurrence of such incidents in future. Petitioner is granted bail in Crime No.207 of 2014 of the Pathanamthitta police station 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 jurisdictional magistrate and subject to the following conditions:- a) Petitioner and his father/mother shall file affidavits before the learned magistrate while executing the bond that the petitioner will not get involved in any offence during the period of this bail. b) Petitioner shall report to the Investigating Officer on every Saturday between 10:00 a.m. and 12:00 p.m. until filing of the final report. c) Petitioner shall report to the investigating officer as and when required for interrogation. d) Petitioner shall not get involved in any offence B.A No.1134 of 2014 3 during the period of this bail. e) Petitioner shall not intimidate/influence the witnesses. f) It is made clear that in case any of condition Nos. (b) to (e) is violated, it is open to the

Investigating Officer to seek cancellation of the bail granted hereby by moving application before the learned magistrate (until committal if any and thereafter before the learned Principal Sessions Judge concerned) as held in P.K. Shaji V. State of Kerala (AIR2006 Supreme Court 100). Sd/- THOMAS P.JOSEPH, JUDGE
//true copy// P.A. to Judge Smv

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