

Dileep Vs. State of Kerala

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Court : Kerala

Decided On : Apr-02-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Dileep

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN WEDNESDAY, THE 2D DAY OF APRIL 2014 12TH CHAITHRA, 1936 Bail Appl..No. 2157 of 2014 (D) ----- AGAINST THE

ORDER

IN CRMP6492014 of SESSIONS COURT, KOLLAM DATED 1403-2014 AGAINST THE

ORDER

IN CMP21102014 of J.M.F.C. - I, KARUNAGAPPALLY CRIME NO. 224/2014 OF OCHIRA POLICE STATION , KOLLAM ACCUSED(S)/PETITIONER: ----- DILEEP AGED 38 YEARS S/O.DAS, ALUMPEEDIKAYIL THURUTHIL HOUSE, PRAYAR SOUTH CLAPPANA, KARUNAGAPPALLY, KOLLAM DIST BY ADVS.SRI.G.PRIYADARSAN THAMPI SRI.S.GULZAR COMPLAINANT(S)/RESPONDENTS:

----- STATE OF KERALA REP B Y THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA ERNAKULAM BY PUBLIC
PROSECUTOR SRI.DHANESH MATHEW MANJOORAN THIS BAIL
APPLICATION HAVING COME UP FOR ADMISSION ON0204-2014, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING: JJJ N.K.
BALAKRISHNAN, J.

----- B.A. No. 2157 of 2014 (D)
----- Dated this the 2nd day of April, 2014

ORDER

The petitioner is the accused in Crime No.224/2014 of Oachira Police Station, Kollam District. Offences alleged are under sections 447, 341 and 307 of IPC.

2. The petitioner has been in custody since 13.02.2014.

3. It is alleged that on 11.2.2014 at about 11.30 am, the petitioner trespassed into the courtyard of the complainant and from there with the intention to cause the murder of the complainant's sister, stabbed on her chest with a knife. She sustained serious injuries. She was immediately taken to the hospital. It is stated that after treatment she was discharged from the hospital. She had, in fact, a providential escape. B.A. No. 2157/2014 (D) -2- 4. The learned counsel for the petitioner submits that considering the period of detention, the petitioner may be granted bail.

5. Considering the period of detention already undergone by the petitioner and in view of the submission made on behalf of the petitioner that he will abide by any condition that may be imposed on him, the petitioner is granted bail subject to the following conditions: (i) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate. If in case the Magistrate has any doubt about the genuineness or correctness of the tax receipts produced by the sureties, the learned Magistrate can insist for production of the attested photo copies of the original title deeds of the sureties. B.A. No. 2157/2014 (D) -3- (ii) The petitioner

shall make himself available for interrogation by the Investigating Officer and shall appear before the Investigating Officer on all Mondays and Fridays between 9.30 AM to 11.30 AM until further orders. (iii) The petitioner shall surrender his original passport before the learned Magistrate. If he is not having any valid passport, he should file an affidavit regarding the same before the Magistrate. (iv) The petitioner will also file an affidavit that he will abide by all the conditions as mentioned above and that he will not commit any offence similar to the offence involved in this case and will 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 from disclosing such facts to the court or to any police officer or tamper with the B.A. No. 2157/2014 (D) -4- evidence. (v) The petitioner shall not leave India without the prior permission of the learned Magistrate. (vi) The learned Magistrate will also ensure the identity of the sureties by insisting production of electoral photo identity cards/Driving licence etc. The passport will be produced and/or the affidavit mentioned earlier will be filed within 10 days from the date of release from jail. Sd/- N.K. BALAKRISHNAN, JUDGE //True Copy// P.A. to Judge jjj

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