

**Rajeesh K.K. Vs. State of Kerala**

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**Court :** Kerala

**Decided On :** Apr-03-2014

**Judge :** Honourable Mr.Justice N.K.Balakrishnan

**Appellant :** Rajeesh K.K.

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN THURSDAY, THE 3D DAY OF APRIL 2014 13TH CHAITHRA, 1936 Bail Appl..No. 2337 of 2014 (B) ----- AGAINST THE

ORDER

IN CMP13022014 of ADDL.C.J.M., THALASSERY DATED 2003-2014 CRIME NO. 138/2014 OF EDAKKAD POLICE STATION, KANNUR

PETITIONER(S)/PETITIONERS: ----- 1.

RAJEESH K.K. AGED 27 YEARS S/O.GANGADHARAN, RESHMA NIVAS, CHEMILODE AMSOM MAUVANCHERY P O, KANNUR DIST 2 SUMOD C P AGED 28 YEARS S/O.MOHANAN, KOOLOTHUMKANDY HOUSE, CHEMBILODE AMSOM MAUVACHERY P O, KANNUR DIST BY ADV. SRI.SUMAN CHAKRAVARTHY

RESPONDENT(S)/RESPONDENTS:

----- STATE OF KERALA REP BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA ERNAKULAM BY PUBLIC

PROSECUTOR SRI.DHANESH MATHEW MANJOORAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/04/2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: JJJ N.K. BALAKRISHNAN, J.

----- B.A. No. 2337 of 2014 (B)  
----- Dated this the 3rd day of April, 2014

## ORDER

Petitioners are A2 and A3 in Crime No.138/2014 of Edakkad Police Station, Kannur District. Offences alleged against these petitioners and 1st accused are under sections 511 of 366, 499 and 354D r/w 34 of IPC and Section 118(d) of K.P. Act.

2. Petitioners have been in custody since 19.3.2014.

3. The learned counsel for the petitioners submits that the entire allegations are against the 1st accused. The marriage of the defacto complainant with the 1st accused was fixed. That did not take place because of the act of the 1st accused, who claimed to be in love with the complainant girl. These petitioners were arrayed as accused only because they happened to be the friends of A1. But they did not do any offending act, it is submitted. I am not B.A. No. 2337/2014 (B) -2- entering into the merits of the case. It is seen that very serious allegations are made against the 1st accused. He is stated to be abroad.

4. Considering the period of detention already undergone by the petitioners and in view of the submission made on behalf of the petitioners that they will abide by any condition that may be imposed on them, the petitioners are granted bail subject to the following conditions: (i) The petitioners shall execute a bond for Rs.25,000/- (Rupees Twenty Five thousand only) each 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. 2337/2014

(B) -3- (ii) The petitioners shall make themselves available for interrogation by the Investigating Officer and shall appear before the Investigating Officer on all Mondays between 9.30 AM to 11.30 AM until further orders. (iii) The petitioners shall surrender their original passports before the learned Magistrate. If they are not having any valid passport, they should file an affidavit regarding the same before the Magistrate. (iv) The petitioners will also file an affidavit that they will abide by all the conditions as mentioned above and that they 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 B.A. No. 2337/2014 (B) -4- with the evidence. (v) The petitioners 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 passports will be produced and/or the affidavits 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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