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Anilkumar.a Vs. State of Kerala

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Court : Kerala

Decided On : Jun-16-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Anilkumar.a

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH MONDAY,THE16H DAY OF JUNE201426TH JYAISHTA, 1936 Bail Appl..No. 4237 of 2014 () ---------- CRIME NO. 397/2011 OF NOORANADU POLICE STATION , ALAPPUZHA ------ PETITIONER/3RD ACCUSED:-: ---------- ANILKUMAR.A., AGED42YEARS, S/O.K.APPU, THACHANVILAKATHUMELEPUTHEN VEEDU, PERINGAMALA, KALLIYUR P.O., VENGANNOOR VILLAGE, THIRUVANANTHAPURAM TALUK, THIRUVANANTHAPURAM DISTRICT. BY ADV. SRI.K.JAISHANKAR RESPONDENTS/COMPLAINANTS:-: ---------- 1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM.

2. DEPUTY SUPERINTENDENT OF POLICE, CHENGANNUR, ALAPPUZHA DISTRICT - 688513 BY PUBLIC PROSECUTOR SMT. LALIZA THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON1606-2014, THE

COURT ON THE SAME DAY PASSED THE FOLLOWING: BP THOMAS P. JOSEPH, J.

---------- Bail Appl.No. 4237 of 2014 () ----------

Dated this the 16th day of June, 2014

ORDER

Petitioner is the third accused in Crime No.397 of 2011 of the Nooranadu Police Station for the offences punishable under Sections 452, 326, 324, 109, 120(B), 307 read with Section 34 of the Indian Penal Code, is in custody from 05.05.2014 and seeks bail. 2.The learned Public Prosecutor has opposed the application. It is submitted that on 12.05.2014 at the relevant time and place as abetted by the first accused, petitioner and others assaulted the de facto complainant with stick etc., and caused hurt/grievous hurt. 3.The learned counsel submits that the allegations are not true. Petitioner is not reported to be involved in any other crime from Nooranadu Police Station. Bail Appl.No. 4237 of 2014 () 2 4.On the facts and circumstances of the case, I am inclined to grant relief to the petitioner but subject to conditions as some of the accused are yet to be arrested and investigation is not completed. The application is allowed as under : I. Petitioner is granted bail in Crime No.397 of 2011 of the Nooranadu Police Station and shall be released (if not required to be detained otherwise) on his executing bond for `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. One of the sureties shall be a close relative of the petitioner. b. The petitioner shall report to the officer investigating the case on Bail Appl.No. 4237 of 2014 () 3 every Saturday between 10 a.m. and 12 p.m. until filing of the final report or for two months whichever is earlier. c. Petitioner shall report to the investigating officer as and when required for interrogation. d. Petitioner shall not get involved in any offence during the period of this bail. e. Petitioner shall not intimidate or influence the witnesses. f. In case any of condition Nos.(b) to (e) is violated, it is open to the investigating officer to file application before the learned magistrate until committal if any and thereafter before the Principal Sessions Judge concerned for cancellation of the bail granted Bail Appl.No. 4237 of 2014 () 4 hereby, as held in P.K.Shaji v.State of Kerala [AIR 2006 SC100. sd/- THOMAS P.

JOSEPH JUDGE AMV /TRUE COPY/ P.A.TO JUDGE

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