

Akhil Vs. State of Kerala

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Court : Kerala

Decided On : Jul-10-2014

Judge : Honourable Mr. Justice K.Abraham Mathew

Appellant : Akhil

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW THURSDAY, THE 10TH DAY OF JULY 2014 19TH ASHADHA, 1936 Bail Appl..No. 4783 of 2014 (C) ----- [CRIME NO. 437/2014 OF CHIRAYINKEEZHU POLICE STATION] PETITIONERS/ 5TH & 6TH ACCUSED: ----- 1. AKHIL @ SUPPU, S/O. SANTHOSH, AGED 18 YEARS, PULITHARA VEEDU THAMARAKULAM, KOONTHALLOOR DESOM, KIZHUVILAM VILLAGE, THIRUVANANTHAPURAM.

2. PRAJITH, S/O. PRADAPAN, AGED 18 YEARS, PINARVILAKOM DESOM, KIZHUVILAM VILLAGE, THIRUVANANTHAPURAM. BY ADV. SRI.M.R.SASITH PANICKER. RESPONDENTS: ----- 1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE, CHIRAYANKEEZHU POLICE STATION. BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN. THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 1007-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Prv. K. ABRAHAM MATHEW, J.

----- B.A. No.4783 of 2014 -----

-- Dated this the 10th day of July, 2014

ORDER

Petition filed under Section 439 Cr.P.C. The petitioners are accused Nos.5 & 6 in Crime No.437/2014 of Chirayinkeezhu Police Station which has been registered for the offences under Sections 143, 147, 452, 506 (ii), 387, 427, 149 of I.P.C. and Section 27 of Arms Act.

2. The allegation against them is that they along with the co-accused trespassed into the house of the first informant, assaulted her and threatened to cause her death with dangerous weapons which they were carrying with them. It is submitted that in the F.I. Statement there is no whisper that the petitioners are involved in the incident.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. The petitioners have been in custody since 13.6.2014. Much progress has been made in the B.A. No.4783 of 2014 -2- investigation. The petitioners are aged 18 years.

5. Having regard to the above facts, I am inclined to grant the prayer in the application. In the result, this Bail Application is allowed. 1) The petitioners shall be released on bail on their executing a bond for Rs.50,000/- each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned. 2) One of the sureties shall be one of the parents of the petitioners. 3) They shall appear before the investigating officer between 10.30 a.m and 11.30 a.m. on every Monday for three months, or till the final report is filed, whichever is earlier. 4) They shall surrender their passports to the learned magistrate and if

they do not have one they shall file an affidavit. 5) They shall not threaten or attempt to influence the witnesses, nor shall they commit, while on B.A. No.4783 of 2014 -3- bail, offences similar to the offence which they are alleged to have committed; nor shall they destroy or attempt to destroy the evidence or interfere with the investigation. 6) If the petitioners violate any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law. Sd/- K. ABRAHAM MATHEW JUDGE //True copy// P.A. TO JUDGE shg/

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