

**Savin S vs State of Kerala**

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**SooperKanoon Citation :** [sooperkanoon.com/1359246](https://sooperkanoon.com/1359246)

**Court :** Kerala

**Decided On :** May-16-2023

**Judge :** Honourable Mr.Justice V.G.Arun

**Appeal No. :** Bail Appl./3712/2023

**Appellant :** Savin S

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN TUESDAY, THE 16TH DAY OF MAY 2023 / 26TH VAISAKHA, 1945 CRIME NO. 345 OF 2023 OF KUMILY POLICE STATION, IDUKKI PETITIONERS/ACCUSED NOS. 2 TO 4:

1 SAVIN S AGED 33 YEARS S/O. SAJEEV, PULIPPARA PUTHAN VEETIL (H), CHOTTUPARA BHAGOM, THOOKKUPALAM, KARUNAPURAM VILLAGE, IDUKKI DISTRICT, PIN - 685552 2 MANESHKUMAR @ MANU AGED 34 YEARS S/O. GOPI, PAILIKKANAM BHAGOM, CHOTTUPARA KARA, KARUNAPURAM VILLAGE, IDUKKI DISTRICT ., PIN - 3 ASHIN AGED 23 YEARS S/O. ANTONY, ARATTU CHANIL HOUSE, BLOCK NO. 578, VATTAPPARA

BHAGOM, CHOTTUPARA KARA, KARUNAPURAM VILLAGE, IDUKKI DISTRICT ., PIN - 685552 BY ADVS. BIJU .C. ABRAHAM THOMAS C.ABRAHAM

RESPONDENTS/STATE: STATE OF KERALA REPRESENTED PUBLIC PROSECUTOR, HIGH COURT OF KERALA, KOCHIN, PIN - 682031 BY ADV PUBLIC PROSECUTOR OTHER PRESENT: SRI.VIPIN NARAYAN, Sr.P.P THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16.05.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :2:

## **ORDER**

This application is filed under Section 439 of Cr.P.C.

2. The petitioners are accused No. 2 to 4 in Crime No.345

of 2023, registered at the Kumily Police Station, Idukki alleging commission of offences punishable under Sections 323, 452, 324, 308, 294(B), 341, 427 and 34 of IPC.

3. The crime was registered on the allegation that, in

furtherance of their common intention, the petitioners assaulted the defacto complainant at about 10.30 P.M on 20.04.2023. Although the defacto complainant ran into a fish stall for shelter, the petitioners followed and attacked him with a steel pipe and shovel. The petitioners were arrested on 23.04.2023 and are continuing in custody.

4. The learned counsel for the petitioners contended that

the petitioners are innocent and defacto complainant and his men were the actual aggressors. It is submitted that yet another crime was registered against the petitioners on the same day and they were granted bail in that crime as per the order in B.A. No.

4. I heard the learned Public Prosecutor also. :3:

5. Learned Public Prosecutor pointed out that the petitioners had committed the offences in an inebriated condition and as per the report received, they have no other criminal antecedents.

6. Considering the nature of allegations and the fact that the petitioners are in custody from 23.04.2023 onwards, I am inclined to allow the bail, prayed for subject to the following conditions;

(i) Petitioners shall be enlarged on bail, on their executing bond for Rs.50,000/- (Rupees Fifty thousand only) each, with two solvent sureties for the like amount to the satisfaction of the court below.

(ii) Petitioners shall report before the investigating officer between 10.30 and 11.30 a.m. on every alternate Monday, till the final report is filed.

(iii) Petitioners shall not get involved in any offence while on bail. Sd/- V.G.ARUN  
JUDGE Isn :4:

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