

Aakash vs State of Kerala

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Court : Kerala

Decided On : May-28-2021

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : Bail Appl./2871/2021

Appellant : Aakash

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR FRIDAY, THE 28TH DAY OF MAY 2021 / 7TH JYAISHTA, 1943 BAIL APPL. NO. 2871 OF 2021 CRIME NO.55/2021 OF Nenmara Police Station, Palakkad PETITIONER/ACCUSED: AAKASH AGED 27 YEARS SON OF GOPI, POTHUNDI, NEMMARA, PALAKKAD PALAKKAD, PIN - 678508 BY ADV V.A.JOHNSON (VARIKKAPPALLIL) RESPONDENT: STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA ERNAKULAM, PIN - 682031 BY ADV.M.K.PUSHPALATHA, SR.PUBLIC PROSECUTOR THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28.05.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -2-

ORDER

The petitioner is the first accused in Crime No.55 of 2021 of Nenmara Police Station registered for the offences punishable under Sections 341, 323, 324 and 308 read with Section 34 IPC.

2. The petitioner has filed this application under Section 438 Cr.P.C.

3. Heard.

4. The learned Public Prosecutor has no serious objection in allowing this application.

5. It has been submitted by the learned Public

Prosecutor that the petitioner is not involved in any other offence of similar nature. The injured sustained only minor injuries in the incident, submitted by the learned Public Prosecutor. The wooden stick used by the petitioner to inflict injuries was already recovered from the place of -3- occurrence. Therefore, no recovery is to be effected in this case. Considering the facts and circumstances of the case as mentioned above, I am inclined to grant pre-arrest bail to the petitioner. In the result, this application stands allowed and the petitioner shall be enlarged on bail in the event of his

arrest in Crime No.55/2021 of Nenmara police station, on condition of the petitioner executing a bond for Rs.35,000/- (Rupees Thirty Five Thousand only) with two solvent sureties, each for the like sum to the satisfaction of the Station House Officer concerned, before whom the petitioner shall surrender within twenty days, if not arrested in the meantime and subject to the following further conditions:

1. The petitioner shall report before the Investigating Officer as and when required by the Investigating Officer for interrogation. -4-

2. The petitioner shall not intimidate or influence the witnesses or in any way tamper with the investigation.

3. The petitioner shall not get involved in any other offence during the pendency of this case. Sd/- B.SUDHEENDRA KUMAR JUDGE nkr/28.05.2021

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