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Shefeek vs State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1832065

Court : Kerala

Decided On : Dec-29-2020

Judge : Honourable Mr. Justice K.Haripal

Appeal No. : Bail Appl./8967/2020

Appellant : Shefeek

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE K.HARIPAL TUESDAY, THE 29TH DAY OF DECEMBER 2020 / 8TH POUSHA, 1942 Bail Appl..No.8967 OF 2020 CRIME NO.1386/2020 OF Kayamkulam Police Station , Alappuzha PETITIONER/ACCUSED NO.3: SHEFEEK, AGED 24 YEARS, S/O.SAYFUDHEEN, KOYICKAL , ERUVA MURI , PATHIYOOR ,KAYAMKULAM . PIN 690508 BY ADV. SRI.M.R.SASITH RESPONDENT/S: STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM R1 BY PUBLIC PROSECUTOR

ADV. C N PRABHAKARAN, SR. PUBLIC PROSECUTOR THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29.12.2020, THE

COURT ON THE SAME DAY PASSED THE FOLLOWING: Bail Appl..No.8967 OF 2020 2

ORDER

Dated this the 29th day of December 2020 This is an application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the third accused in Crime No.1386/2020 of Kayamkulam police station, alleging offence punishable under Sections 143,147,148,323,326, 202 read with 149 IPC.

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

4. Even though the application was opposed by the learned

> Public Prosecutor, it has come out that the charge sheet has already been laid on 16.11.2020. The petitioner was arrested on 22.08.2020. That means, he is entitled to get statutory bail. In the circumstances, he can be released on bail, in spite of the fact that he is said to be the second gang leader and involved in so many other crimes of similar nature. He will be released on bail, imposing strict conditions.

5. In the result, the bail application stands allowed. The petitioner shall be released on bail on the following conditions:-

(i) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like amount to the satisfaction of the jurisdictional court; Bail Appl..No.8967 OF 2020 3

(ii) The petitioner shall not cause any promise, intimidation or threat to the witnesses nor try to influence the witnesses;

(iii) Petitioner shall not leave India without permission of the jurisdictional Court;

(iv) He shall appear before the court as and when required;

(v) The petitioner shall strictly abide the various guidelines

issued by the State Government and the Central Government with respect to keeping of social distancing in the wake of Covid 19 pandemic;

(vi) If any of the above conditions are violated by the petitioner, the trial Court will be at liberty to cancel the bail in accordance with law. Sd/- K.HARIPAL ajt JUDGE

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