

Vishnu. Vs. State of Kerala.

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Court : Kerala

Decided On : Nov-26-2010

Judge : V. Ramkumar, J.

Acts : Code of Criminal Procedure (CrPC) - Section 439; Indian Penal Code (IPC)
- Section 306

Appeal No. : Bail Appl..No. 7614 of 2010

Appellant : Vishnu.

Respondent : State of Kerala.

Advocate for Pet/Ap. : SRI.G.SUDHEER, Adv.

Judgement :

1. In this Petition filed under Sec. 439 Cr.P.C., the petitioner, who is the sole accused in Crime No.68 of 2009 of Varkala Police Station for an offence punishable under Section 306 I.P.C., seeks his enlargement on bail. The petitioner was arrested on 06.09.2010.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody undergone by the petitioner, the present stage of investigation of the case and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail w.e.f 02.12.2010 on

his executing a bond for Rs.15,000/- (Rupees fifteen thousand only) with two solvent sureties each for the like amount to the satisfaction of the Magistrate concerned and subject to the following conditions:

(1). The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(2). The petitioner shall make himself available for interrogation as and when required by the police at any time till the filing of the final report.

(3). The petitioner shall not enter the limits of Varkala Police Station until further orders to be passed by the concerned court.

(4). The petitioner shall surrender his passport, if any, before the Magistrate. In case he is not the holder of a passport, he shall file an affidavit to that effect.

(5). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(6). The petitioner shall not commit any offence while on bail.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled. This application is allowed as above.

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