

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

FRIDAY, THE 08TH DAY OF MAY, 2020 / 18TH VAISAKHA, 1942

B.A. No.1976 /2020

Crime No: 193 of 2019 of Chavara Police Station, Kollam District

Petitioner/ Accused No:7

Name and address : .Vijil @ Vava S/O Vikayam ,Aged 29,
Pelezhathu Padinjattathil ,Payyalakkavu Muri ,Chavara, Kollam District. Pincode-691583

By Adv Sri. Arun Babu

Respondents/ Complainants

1. State of Kerala, Represented by the Public Prosecutor,

High Court of Kerala,

Ernakulam - 682 031

2. Sub Inspector of Police, Chavara Police Station,

Kollam District - 691583

SRI. AJITH MURALI , PP
SRI. SANTHOSH PETER SR.PP

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
08.05.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

P.V.KUNHIKRISHNAN, J

B.A.No.1976 of 2020

Dated this the 8th day of May, 2020

O R D E R

This Bail Application filed under Section 439 of Criminal Procedure Code was heard through Video Conference.

2. Petitioner is the 7th accused in Crime No.193 of 2019 of Chavara Police Station registered alleging offences punishable under Sections 143, 147, 148, 341, 323, 324, 325 and 308 of the Indian Penal Code.

3.The prosecution case is that on 20.02.2019, the accused person along with other accused attacked the de facto complainant and caused injuries to him. The allegation is that the de facto complainant sustained grievous hurt.

4. The counsel for the petitioner submitted that other accused are already released on bail and the petitioner also may be granting bail.

5.The learned Public Prosecutor submitted that the other

accused in this case are already released on bail and he has no objection but stringent condition may be imposed, while releasing the petitioner on bail.

6. After considering the contentions of the petitioner and the submission of the learned Public Prosecutor, I think this bail application can be allowed.

Hence this Bail Application is allowed with the following directions:

1. The Superintendent of Jail concerned where the petitioner is incarcerated is directed to release the petitioner on bail on executing a self bond ensuring that he will appear before the Court concerned as and when required, if he is not in detention in any other case. It is further directed that the Superintendent of Jail should get the bail bond from the petitioner as stipulated in Section 441 Cr.P.C.

2. The Superintendent of Jail concerned shall also get the phone number and the address at which the petitioner would be residing after his

release.

3. The Superintendent of Jail concerned, immediately after release of the petitioner will forthwith forward the bail bond obtained from the petitioner to the jurisdictional Court.

4. The petitioner immediately after release from the prison, report before the Station House Officer of the Jurisdictional Police Station and shall furnish his phone number and the place where he is going to reside. The Station House Officer concerned shall keep a vigil on the whereabouts of the petitioner and shall ensure that the petitioner does not violate the terms of the undertaking.

5. The petitioner shall appear before the Investigating Officer as and when required. The petitioner shall co-operate with the investigation and shall not threaten or attempt to influence the witnesses or tamper with the evidence.

6. The petitioner shall within one week from the commencement of the functioning of the

jurisdictional court, if the court is not functioning at present, execute a bond for Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Court.

7. The petitioner shall strictly abide by the various guidelines issued by the State Government and Central Government with respect to keeping of social distancing and other directions in the wake of declared lock-down.

8. If any of the above conditions are violated by the petitioner, the jurisdictional Court can cancel the bail in accordance with law, even though the bail is granted by this Court.

P.V.KUNHIKRISHNAN, JUDGE