
(2011) 07 KL CK 0042

In the High Court Of Kerala

Case No : Bail Application No. 6031 of 2011

V.G. Prasanth Kumar and Anukumar @ Anoop

APPELLANT

Vs

State of Kerala

RESPONDENT

Date of Decision : 28-07-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 439
Penal Code, 1860 (IPC) — Section 143, 147, 148, 149, 308

Citation : (2011) 07 KL CK 0042

Hon'ble Judges : K.T. Sankaran, J

Bench : Single Bench

Advocate : P.K. Priya, for the Appellant; No Appearance, for the Respondent

Final Decision : Allowed

Judgement

K.T. Sankaran, J.—This is an application for bail u/s 439 of the Code of Criminal Procedure. The Petitioners are accused Nos. 1 and 4 in Crime No. 392 of 2011 of the Pandalam Police Station, Pathanamthitta District.

2. The offences alleged against the Petitioners are under Sections 143, 147, 148, 149, 326 and 308 of the Indian Penal Code.

3. The date of occurrence was on 8.7.2011. The Petitioners were arrested on 11.7.2011.

4. It is submitted that a fight between the members of two political parties occurred, which resulted in the registration of the present crime.

5. Heard the learned Counsel for the Petitioners and the learned Public Prosecutor.

6. Taking into account the facts and circumstances of the case, the duration of the judicial custody undergone by the Petitioners, the nature of the offence and the present stage of investigation, I am of the view that bail can be granted to the Petitioners.

7. The Petitioners shall be released on bail on their executing bond for Rs. 25,000/-(Rupees Twenty five thousand only) each with two solvent sureties for the like amount to the satisfaction of the Judicial Magistrate of the First Class, Adoor, subject to the following conditions:

A) The Petitioners shall not enter into the limits of Pandalam Police Station for a period of two months except for complying with conditions B and C.

B) The Petitioners shall report before the investigating officer between 9 A.M and 11 A.M on all Mondays, till the final report is filed or until further orders.

C) The Petitioners shall appear before the investigating officer for interrogation as and when required;

D) The Petitioners shall not try to influence the prosecution witnesses or tamper with the evidence.

E) The Petitioners shall not commit any offence or indulge in any prejudicial activity while on bail.

F) In case of breach of any of the conditions mentioned above, the bail shall be liable to be cancelled.

The Bail Application is allowed as above.