

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K. BABU

TUESDAY, THE 12TH DAY OF APRIL 2022 / 22ND CHAITHRA, 1944

BAIL APPL. NO. 2672 OF 2022

AGAINST THE ORDER/JUDGMENT IN CRMC 599/2022 OF DISTRICT COURT &
SESSIONS COURT,TRIVANDRUM

PETITIONERS/ACCUSED NOS.2, 3 AND 4:

- 1 RENJITH (A2)
 AGED 28 YEARS
 S/O THANKAPPAN, SIMLA COTTAGE VEEDU, VADAKARA,
 MARAYAMUTTOM, PERUNKADAVILA THIRUVANANTHAPURAM.,
 PIN - 695124
- 2 RINU @ BABA (A3)
 AGED 27 YEARS
 S/O. VINU KUMAR, MANKUDI THAKIDI VEEDU, MARUTHATHOOR
 DESOM, CHAIKKOTTUKONAM, NEYYATTINKARA VILLAGE,
 THIRUVANANTHAPURAM, PIN - 695 122
- 3 VINEESH (A4)
 AGED 30 YEARS
 S/O. VIJAYAN, KATTUKULATHINKARA VEEDU, THOVOTTUKONAM,
 KULATHAMAL DESOM, NEYYATTINKARA VILLAGE,
 THIRUVANANTHAPURAM., PIN - 695543

BY ADV M.JAYAKRISHNAN

RESPONDENT/SATE/DE FACTO COMPLAINANT:

- 1 STATE OF KERALA
 REPRESENTED PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
 ERNAKULAM, PIN - 682031
- 2 STATION HOUSE OFFICER
 MARYAMUTTOM POLICE STATION, MARAYAMUTTOM P.O.,
 THIRUVANANTHAPURAM , PIN - 695124

SR.PP-SRI.K.A.NOUSHAD

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
12.04.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

Dated this the 12th day of April, 2022

This is an application filed under Section 439 of the Code of Criminal Procedure.

2. The petitioners are accused Nos.2, 3 and 4 in Crime No.145/2022 of Marayamuttom Police Station, Thiruvananthapuram District. The offences alleged against the petitioners are punishable under Sections 143, 147, 148, 294(b), 341, 323, 324, 326 and 308 r/w Section 149 of the Indian Penal Code.

3. The prosecution case is that on 28.02.2022 at about 07.30 p.m, the petitioners and the other accused formed themselves into an unlawful assembly and voluntarily caused grievous hurt to the defacto complainant. The petitioners and the other accused committed the above acts in furtherance of their common intention and with the knowledge that if they by that act caused death of the defacto complainant they would be guilty of culpable homicide not amounting to murder.

4. The petitioners were arrested on 01-03-2022 and have been in judicial custody since then.

5. Heard the learned counsel for the petitioners and the learned

Public Prosecutor.

6. The learned counsel for the petitioners submitted that the investigation is over, and therefore, further detention of the petitioners is not required. The learned counsel for the petitioners further submitted that as far as the present petitioners are concerned, no specific overt acts have been alleged.

7. The learned Public Prosecutor opposed the bail plea of the petitioners and also submitted that accused Nos.1 and 5 have criminal antecedents.

8. Having regard to the stage of investigation, the period of judicial custody undergone by the petitioners and the nature of the allegations raised against the petitioners, I am of the view that the petitioners are entitled to be released on bail on conditions.

In the result, the Bail Application is allowed as follows:

- (a) The petitioners shall be released on bail on their executing bond for Rs.50,000/- (Rupees Fifty Thousand Only) each with two solvent sureties each for the like sum to the satisfaction of the Magistrate concerned.
- (b) They shall appear before the Investigating Officer on all Mondays and Fridays between 10 a.m and 11 a.m for a

period of three months or till the final report is filed,
whichever is earlier.

- (c) They shall not try to influence the prosecution witnesses
or attempt to tamper with the evidence.

Sd/-

**K.BABU,
JUDGE**

mpm

APPENDIX OF BAIL APPL. 2672/2022

PETITIONER ANNEXURES

Annexure A1 FREE COPY OF THE ORDER DATED 23.03.2022
IN CRL.M.C. NO.599/2022 ON THE FILES OF
THE HONOURABLE SESSIONS COURT
THIRUVANTHAPURAM.