

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. 2500 OF 2022

CRIME NO.224/2022 OF KUNNAMKULAM POLICE STATION

PETITIONER/ACCUSED NO.7:

SUDHEESH,
AGED 28 YEARS,
SON OF SURESH,
ARIYARATHU HOUSE, KURUKANPARA P.O.,
KUNNAMKULAM,
THRISSUR DISTRICT, PIN - 680503
BY ADVS.
K.S.ARUN KUMAR
AMRUTHA P S
AMRUTHA K P
VIJAY SANKAR V.H.
SRUTHY UNNIKRISHNAN
AISWARYA E J VETTIKOMPIL

RESPONDENT/COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN - 682031

BY ADV
SR.PP-SRI.RENJITH GEORGE

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 petitioner is accused No.7 in Crime No.224/2022 of Kunnamkulam Police Station. This case has been registered alleging offences punishable under Sections 143, 147, 148, 341, 324, 307 r/w Section 149 of the Indian Penal Code.

3. The prosecution case is that on 07.02.2022 at 2.30 a.m the petitioner and the other accused formed themselves into an unlawful assembly and voluntarily caused hurt to the defacto complainant by using dangerous weapons. The petitioner 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 murder.

4. The petitioner was arrested on 11.02.2022 and has been in judicial custody since then.

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

6. The learned counsel for the petitioner submitted that no specific overt acts have been alleged against the petitioner. It is further submitted that the investigation in this case is over and further detention of the petitioner is not required.

7. The learned Public Prosecutor opposed the bail plea of the petitioner.

8. The materials placed before the Court would reveal that there are no specific allegations against the petitioner.

9. Having regard to the nature of the allegations, stage of the investigation and the tenure of judicial custody undergone by the petitioner, I am of the view that the petitioner is entitled to be released on bail on conditions.

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

- (a) The petitioner shall be released on bail on his executing 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.
- (b) He shall appear before the Investigating Officer on all Mondays 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) He shall not try to influence the prosecution witnesses
or attempt to tamper with the evidence.

Sd/-
K.BABU,
JUDGE

KAS

APPENDIX OF BAIL APPL. 2500/2022

PETITIONER ANNEXURES

Annexure1	A TRUE COPY OF THE ORDER DATED 16/03/2022 IN CRL. M. C. NO. 280/2022 OF THE HON'BLE SESSIONS COURT, THRISSUR
Annexure2	A TRUE COPY OF THE FIR IN CRIME NO. 227/2022 OF KUNNAMKULAM POLICE STATION