

Kerala High Court

Shemeer vs The Sub Inspector Of Police on 28 August, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Bail Appl..No. 4777 of 2009()

1. SHEMEER, S/O. USMAN,  
... Petitioner

Vs

1. THE SUB INSPECTOR OF POLICE,  
... Respondent

2. THE CIRCLE INSPECTOR OF POLICE,

For Petitioner :SRI.SUNNY MATHEW

For Respondent :PUBLIC PROSECUTOR

The Hon'ble MR. Justice K.T.SANKARAN

Dated :28/08/2009

O R D E R

K.T.SANKARAN, J.

-----  
B.A. NO. 4777 OF 2009  
-----

Dated this the 28th August, 2009

O R D E R

This is an application for bail under Section 439 of the Code of Criminal Procedure. The petitioner is accused No.11 in Crime No.452 of 2008 of the Pavaratty Police Station.

2. The offences alleged against the petitioner are under Sections 143, 144, 153-A, 201, 212, 302 and 120B read with Section 149 of the Indian Penal Code.

3. The date of occurrence was on 21.8.2008. The petitioner was arrested on 7.8.2009. It is submitted by the learned Public Prosecutor that accused Nos.1, 9 and 12 have not been arrested so far. At the same time, persons who were arrested, were granted bail.

4. Taking into account the facts and circumstances of the case, the duration of the judicial custody undergone by the petitioner, the nature of the offence and the present stage of investigation, I am of the view that bail can be granted to the petitioner. B.A. NO. 4777 OF 2009 :: 2 ::

5. The petitioner shall be released on bail on his executing bond for Rs.50,000/- with two solvent sureties for the like amount to the satisfaction of the Judicial Magistrate of the First Class, Chavakkad, subject to the following conditions:

- a) The petitioner 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;
- b) The petitioner shall appear before the investigating officer for interrogation as and when required;
- c) The petitioner shall not enter into the limits of Pavaratty Police Station for a period of two months, except of complying with conditions (a) and (b);
- d) The petitioner shall not try to influence the prosecution witnesses or tamper with the evidence;
- e) The petitioner 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.

(K.T.SANKARAN) Judge ahz/