

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

THURSDAY, THE 27TH DAY OF OCTOBER 2022 / 5TH KARTHIKA, 1944

BAIL APPL. NO. 8236 OF 2022

AGAINST THE ORDER/JUDGMENTCRMP 3636/2022 OF JUDICIAL MAGISTRATE OF FIRST
CLASS , PATTAMBI

PETITIONER/S:

GEORGE JOSE.P.J
AGED 34 YEARS
S/O.JOSE, PONMANASSARY HOUSE,
KORAVANPAADI, CHITTUR.P.O,
AGALI, PALAKKAD, PIN - 678581

BY ADV V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/S:

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

OTHER PRESENT:

SR PP:Seetha S

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27.10.2022,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

VIJU ABRAHAM, J.

.....
B.A.No.8236 of 2022
.....

Dated this the 27th day of October, 2022

ORDER

This is an application for regular bail.

2. The petitioner is the sole accused in Crime No.221 of 2022 of the Agali Police Station, Palakkad District registered alleging commission of offences punishable under Sections 341, 324 and 308 read with Section 34 of the Indian Penal Code.

3. The prosecution case is that on 05.10.2022 at about 18.00 hours, due to enmity for losing the carom game, the accused wrongfully restrained the defacto complainant and with an intention to kill him stabbed on his right chest with a knife and when the defacto complainant tried to prevent the accused, he sustained injuries on his right hand and thus the accused has committed the abovesaid offences.

4. Petitioner submits that he has been falsely implicated in the abovesaid crime and that he has no other criminal antecedents. Petitioner further submits that he is in custody from 05.10.2022 onwards and his further detention is not required for the purpose of the investigation.

5. Heard the learned Public Prosecutor who upon instruction submitted that due to enmity of losing the carom game the accused stabbed on the chest of the defacto complainant with a knife and when he tried to prevent the same, sustained injuries. Learned Public Prosecutor upon instruction further

submitted that the petitioner has no other criminal antecedents.

Considering the facts and circumstances of the case and taking into consideration the fact that petitioner is in custody from 05.10.2022 onwards and also the fact that the petitioner has no other criminal antecedents, I am inclined to grant bail to the petitioner. In the result, the bail application is allowed. It is directed that the petitioner shall be released on bail subject to the following conditions:

(i) The petitioner shall 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.

(ii) He shall appear before the investigating officer in Crime No.221 of 2022 of the Agali Police Station, Palakkad District on all Saturdays at 11.00 a.m. until filing of final report.

(iii) He shall not attempt to interfere with the investigation or to influence any witness in the abovesaid crime.

(iv) He shall not involve in any other crime while on bail.

If any of the aforesaid conditions are violated, the investigating officer in Crime No.221 of 2022 of the Agali Police Station, Palakkad District may file an application before the jurisdictional court, for cancellation of bail.

Sd/-

**VIJU ABRAHAM
JUDGE**