

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

THURSDAY, THE 24TH DAY OF NOVEMBER 2022 / 3RD AGRAHAYANA, 1944

BAIL APPL. NO. 9069 OF 2022

CRIME NO.751/2022 OF Parippally Police Station, Kollam

AGAINST THE ORDER/JUDGMENTCRMC 2187/2022 OF DISTRICT COURT &

SESSIONS COURT, KOLLAM

PETITIONER/ACCUSED:

SAJIN, AGED 31 YEARS, S/O.MANILAL,
SAJIN NIVAS, CHIRAKKARA, PARIPPALLY P.O,
KOLLAM DISTRICT, PIN - 691574

BY ADVS.
K.SIJU
S.ABHILASH
ANJANA KANNATH

RESPONDENTS/STATE:

- 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031
- 2 STATION HOUSE OFFICER, PARIPPALLY POLICE STATION,
KOLLAM DISTRICT - 691574

BY SR.PP SRI.S.SAJJU
ADVOCATE GENERAL OFFICE KERALA
DIRECTOR GENERAL OF PROSECUTION (AG-10)
P.NARAYANAN, SENIOR G.P. AND ADDL.PUBLIC
PROSECUTOR()

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
24.11.2022, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

VIJU ABRAHAM, J.

.....
B.A. No.9069 of 2022
.....

Dated this the 24th day of November, 2022

ORDER

This is an application for regular bail.

2. Petitioner is the sole accused in Crime No.751 of 2022 of Parippally Police Station, Kollam registered for the offence alleged under Section 302 of the Indian Penal Code.

3. The gist of the prosecution allegation is that on 7.9.2022 at 2.30 p.m. at Building No.VII/282 of Chirakkara Grama Panchayat, accused intentionally committed murder of his father Manilal by strangulating him and by attacking on his head with the key that he was possessing. According to the prosecution, the motive for the crime was the enmity of the accused towards the victim since the victim questioned the act of the accused quarrelling with his mother and thereby committed the above offences.

4. The petitioner submits that he was arrested on 07.09.2022 and charge sheet is already laid and therefore his further detention is not necessary for the purpose of the investigation. Even though the petitioner moved the Sessions Court seeking bail on three occasions, the same was rejected as per Annexures A1 to A3 orders.

5. Learned Public Prosecutor seriously opposed the application for bail mainly contending that the accused stabbed the face and head of the victim by using a key of the motorcycle and also squeezed the neck and face of the victim, which resulted in his death. The learned Public Prosecutor submitted that charge sheet is already laid and the petitioner has no other criminal antecedents. It was further submitted by the learned Public Prosecutor that if the petitioner is released on bail there is every possibility of influencing and intimidating the eye witnesses who are close relatives of the accused.

After considering the contentions of both sides, since charge sheet is already laid and further that the petitioner is not involved in any other crime, I am of the opinion that the petitioner can be granted bail, but taking into consideration the apprehensions raised by the learned Public Prosecutor, the same shall only be on stringent 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.751 of 2022 of Parippally Police Station, Kollam on all Saturdays at 11.00 a.m. until further orders.

(iii) He shall not leave the State of Kerala without obtaining permission from the jurisdictional court.

(iv) He shall not enter the jurisdictional limit of Parippally Police Station until further orders except for complying with condition No.(ii) or to attend any court proceedings.

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

(vi) 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.751 of 2022 of Parippally Police Station, Kollam may file an application before the jurisdictional court, for cancellation of bail.

Sd/-

**VIJU ABRAHAM
JUDGE**

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