
(2021) 04 KL CK 0112

High Court Of Kerala

Case No: Bail Application No. 2595 Of 2021

Peter Jacob

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision: April 16, 2021

Acts Referred:

Code Of Criminal Procedure, 1973 " Section 439#Indian Penal Code, 1860 " Section 143, 147, 148, 149, 323, 324, 364(A), 365, 368, 370, 506(ii), 427, 452, 506(ii)#Arms Act, 1959 " Section 27

Citation: (2021) 04 KL CK 0112

Hon'ble Judges: K. Haripal, J

Bench: Single Bench

Advocate: K.V. Anil Kumar, E.C. Bineesh

Final Decision: Allowed

Judgement

1. This is an application for bail under Section 439 of the Code of Criminal Procedure, moved by the accused No. 20 in Crime No. 271/2021 of

Mannar Police Station. The allegation against the petitioner is that he had given communication to the prime accused, giving indication about the

location of the residence of the defacto complainant, where the said alleged offence was committed. Crime was registered alleging offence punishable

under Sections 143, 147, 148, 452, 323, 324, 506(ii), 427, 364A, 365, 368, 370, 386 read with 149 of the Indian Penal Code and Section 27 of the Arms

Act.

2. According to the learned counsel for the petitioner, at that time he had no knowledge about the mischief proposed to have been committed by the

prime accused, had he known about it, he would not have passed such information.

3. The petitioner was arrested on 23.02.2021 and is in custody for the last 52 days.

4. The learned Public Prosecutor has stated that investigation has progressed considerably and therefore, there is no serious objection in granting bail

to the petitioner, who did not play any overt act in the commission of offence.

5. In the circumstances, the petitioner shall be released on bail on 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 Judicial First Class Magistrate - I, Chengannur;

ii) He shall not try to contact or influence the witnesses or tamper with the evidence;

iii) Petitioner shall not leave India without permission of the jurisdictional Court;

iv) He shall appear before the committal/trial court as and when required;

v) The petitioner shall strictly follow the various guidelines issued by the State and Central Governments with respect to keeping of social distancing in

the wake of Covid 19 pandemic;

vi) If any of the above conditions are violated by the petitioner, the jurisdictional Court will be at liberty to cancel the bail in accordance with law.

This bail application is allowed as above.