

In the Court of Vacation Sessions Judge, Kanniyakumari District at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.
Vacation Sessions Judge/Principal Sessions Judge,
Kanniyakumari at Nagercoil.

Wednesday, the 8th day of May, 2024.

CrI.M.P. No. 51/2024

(CNR.No.TNKK00-000056-2024)

Gnana Vino, S/o Moses (A1)

.. Petitioner

/Vs./

Sub Inspector of Police,

Boothapandy Police Station,

Crime No. 67/2024 of Boothapandy Police Station,

Rep. by P.P. Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru P. Subramonian, u/s 439 Cr.P.C.
praying to grant bail to the petitioner.

ORDER

Heard both sides. Perused the petition.

The petitioner/accused alleged to have been committed the offence u/s
294(b), 324 and 506(ii) of IPC @ 294(b), 324, 307 and 506(ii) of IPC.

The case of the prosecution is that on 03.04.2024 while the defacto
complaint was going to work with his relative in a two wheeler, this petitioner with
one another followed the defacto complainant and used filthy words and caused hurt
with sickle and also criminally intimidated him. Hence the charge.

The learned counsel for the petitioner submitted that the petitioner is

innocent and he has not committed any offence as alleged by the prosecution and the petitioner has been in judicial custody from 26.04.2024 and the co-accused A2 was released on anticipatory bail on 25.04.2024 in CrI.M.P.No. 2258/2024 and another one co-accused was released on bail on 30.04.2024 in CrI.M.P. No.2374/2024 by the Principal Sessions Court, Nagercoil and the earlier bail petition in CrI.M.P.No. 2209/2024 was dismissed by the Principal Sessions Court, Nagercoil on 30.04.2024 and the petitioner has no previous cases and the petitioner is ready to abide by any condition and prayed for bail to the petitioner.

The learned Public Prosecutor opposed the application and submitted that the defacto complainant is working in a private Finance company. There is a previous enmity between the defacto complainant and one Vineesh. The said Vineesh is now in abroad. The said Vineesh sent money to the 1st accused to murder the defacto complainant. So on 03.04.2024 this petitioner inflicted cut injury with aruval on the defacto complainant and A2 and A3 inflicted cut injury on the defacto complainant and he sustained two cut injuries and the injured was discharged from the hospital and the petitioner was arrested on 08.04.2024 in another one case and subsequently he was remanded in this case under P.T. warrant and in that case he was released on bail and the investigation of the case is not yet over and another one co-accused was released on anticipatory bail and in the event of considering this application, same condition is to be imposed.

Considering the nature of the offence alleged to have been committed by the petitioner/accused and also considering the fact that the petitioner/accused is in custody for the past 12 days and the injured was discharged from the hospital and the

co-accused was released on anticipatory bail, this court is inclined to grant bail to the petitioner/Accused with conditions.

In the result, the petitioner/Accused is ordered to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the Judicial Magistrate, Boothapandy and after release the petitioner shall appear and sign before the respondent police daily at 10.00 A.M. until further orders and accordingly this petition is allowed.

If there is any violation of condition, the Investigation Officer is with in his discretion to approach the court of the learned Judicial Magistrate for cancellation of bail even though bail granted by the Sessions Court as per the ruling of the Hon'ble Supreme Court reported in **P.K.Shaji /Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

Pronounced by me in open court this the 8th day of May, 2024.

Vacation Sessions Judge.

To

The Judicial Magistrate, Boothapandy. (through e-Mode)

The Sub Inspector of Police, Boothapandy Police Station. (through court cell
e-Mode)

The Superintendent, District Jail, Nagercoil. (through e-Mode)

The counsel for the petitioner.