

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936`

Bail Appl..No. 272 of 2015

CRIME NO. 17/2015 OF PERINGOME POLICE STATION , KANNUR

PETITIONER(S)/ACCUSED 1 TO 3 AND 5 IN THE CRIME :

1. MANU, AGED 26/15,
S/O.LEELAMANI, KOKKADAV, THIRUMENI,
PERINGOME VIA PAYYANNUR, KANNUR DISTRICT.
2. RENJITH, AGED 27/15.
S/O.VANAJA, KOKKADAV, THIRUMENI,
PERINGOME VIA PAYYANNUR, KANNUR DISTRICT.
3. ABHILASH, AGED 26/15,
S/O.SOBHANA, KOKKADAV, THIRUMENI,
PERINGOME VIA PAYYANNUR, KANNUR DISTRICT.
4. KANNAN, AGED 21/15,
S/O.BIJU, KOKKADAV, THIRUMENI,
PERINGOME VIA PAYYANNUR, KANNUR DISTRICT.

BY ADV. DR.K.P.PRADEEP

RESPONDENT(S)/COMPLAINANT :

1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, OFFICE OF THE ADVOCATE GENERAL,
HIGH COURT, KOCHI-682 031.
2. STATION HOUSE OFFICER,
PERINGOME PS KANNUR DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, OFFICE OF THE ADVOCATE GENERAL,
HIGH COURT, KOCHI-682 031.
3. SOBHANA.P.V, AGED 34/15,
D/O.BABU, PERIYADAN VEETIL, KOKKADAV,
THIRUMENI, PERINGOME VIA PAYYANNUR, KANNUR DISTRICT.

R1 & R2 BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y
R3 BY ADV. SRI.D.AJITHKUMAR

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

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B.A. No. 272 of 2015

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Dated this the 3rd day of February, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are A1 to A3 and A5 in Crime No.17 of 2015 of the Peringome Police Station, registered for the offences punishable under Sections 143, 147, 452, 341, 323, 294(b), 506(i) and 354 read with Section 149 IPC.

3. The allegation against the petitioners is that they have reacted towards the defacto complainant and one Sabu Joseph, who used to visit the house of the defacto complainant woman at odd hours. It is alleged that the petitioners formed themselves into an unlawful assembly and A1 to A5 committed house trespass into the house of the defacto complainant and attacked the said Sabu Joseph and the defacto complainant woman, and abused them. It is alleged that they have outraged the modesty of the defacto complainant. The learned counsel for the petitioners submitted that the matter has been amicably settled between them and the defacto complainant.

4. Heard learned counsel for the petitioners and learned Public Prosecutor. Perused the CD.

5. It has come out that the matter has been amicably settled between the petitioners and the defacto complainant and that the defacto complainant has no complaints at present against the petitioners. There is absolutely nothing to be recovered from the possession of the petitioners. The custodial interrogation of the petitioners is not required for the continued investigation of this case. It seems that the investigation of this case is practically over. Considering the facts and circumstances of the case, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioners.

In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioners, is directed to enlarge the petitioners on bail in the event of their arrest on each of them executing a bond for Rs.25,000/- (Rupees twenty five

thousand only) with two solvent sureties for the like sum each to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

(i) The petitioners shall report before the investigating officer in between 09.00 a.m. and 11.00 a.m. on all Tuesdays and Fridays commencing from 10.02.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioners shall not tamper with the evidence or influence witnesses.

(iii) The petitioners shall make themselves available for interrogation as and when required by the investigating officer.

(iv) The petitioners shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-

**B. KEMAL PASHA
JUDGE**

DSV/3/2/15

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P.A. To Judge

