

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

Bail Appl..No. 464 of 2015

CRIME NO. 63/2015 OF ADIMALY POLICE STATION , IDUKKI

PETITIONER(S):

- 1. RAVEESH RAVEENDRAN, AGED 35 YEARS
S/O.RAVEENDRAN, EDAPPARAMBATH HOUSE, 200 ACRES
ADIMALI POST, IDUKKI-685561.**
- 2. JOSE C ELIAS, AGED 38 YEARS,
S/O.ELIAS, CHELAT HOUSE, ADIMALI POST
IDUKKI-685561.**

**BY ADVS.SRI.DENIZEN KOMATH
SMT.ANNIES MATHAI**

RESPONDENT(S):

**STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE
ADIMALI POLICE STATION, ADIMALI POST
IDUKKI-685561 THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM (CRIME NO.63/2015 U/S.324, 294(B)
506(II) 452, 427, R/W.34 OF THE INDIAN PENAL CODE.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

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B.A. No. 464 of 2015

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Dated this the 9th day of February, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are A1 and A2 in Crime No.63 of 2015 of the Adimali Police Station, registered for the offences punishable under Sections 324, 294(b), 452, 506(ii) and 427 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioners is that on 17.01.2015 at 10.15 p.m., they committed house trespass into the shop of the defacto complainant, abused him and intimidated him. It is alleged that the 1st accused beat the defacto complainant with a stick on his head and the 2nd accused kicked him. It is also alleged that they had attacked one Suresh, who also present along with the defacto complainant and smashed and destroyed the chappathi

making machine thereby causing a wrongful loss of ₹24,000/- to the defacto complainant.

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

5. The contents of the CD *prima facie* reveal the complicity of the petitioners. Even though the acts committed by the petitioners are very grave and serious, this is a case wherein anticipatory bail has to be granted to the petitioners as the liability to compensate the defacto complainant for the loss sustained by him, has to be recovered from them. No criminal antecedents have been reported against the petitioners. This is not a case wherein the custodial interrogation of the petitioners is required for the continued investigation of this case. Considering the facts and circumstances of the case, I am of the view that anticipatory bail can be granted to the petitioners by making a provision for compensating the loss sustained to the defacto complainant.

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 ₹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) Each of the petitioners shall deposit an amount of ₹12,000/- before the court below within ten days from today.

(ii) The petitioners shall report before the investigating officer in between 09.00 a.m. and 11.00 a.m. on all Mondays and Thursdays commencing from 16.02.2015 for a period of six months.

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

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

(v) 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/9/2/15

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P.A. To Judge