

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

Bail Appl..No. 530 of 2015

CRIME NO. 20/2015 OF MALOOR POLICE STATION , KANNUR

PETITIONER(S)/ACCUSED NO. 1,2, 3, 6, 9 & 10:

1. R.GOKULAM, AGED 43 YEARS
S/O.SANKARAN, PUTHANPURA HOUSE, KANHILERI P.O.
KANNUR DISTRICT.
2. KALLAN BHASKARAN, AGED 57 YEARS,
S/O.GOVINDAN, VIPINA NIVAS, SIVAPURAM P.O.
MARUVANCHERY, KANHILERI, KANNUR DISTRICT.
3. ANDYAN MANOJ, AGED 39 YEARS
S/O.MUKUNDAN, PUTHIYAPURAYIL HOUSE, SIVAPURAM AMSOM
KANHILERI, KANNUR DISTRICT.
4. P.K.NAKULAN, AGED 52 YEARS
S/O.MAMAN, POOVAMPOIL, SIVAPURAM AMSOM
KANHILERI, KANNUR DISTRICT.
5. RAJEESH V, AGED 34 YEARS
S/O.KUTTIRAMAN, KUNHIPARAMBATH HOUSE, SIVAPURAM
KANHILERI, KANNUR DISTRICT.
6. SHAJIL K, AGED 23 YEARS,
S/O.MOHANAN, SOPANAM, SIVAPURAM AMSOM
KANHILERI DESOM, KANNUR DISTRICT.

BY ADV. SRI.CIBI THOMAS

RESPONDENTS /COMPLAINANT/STATE:

1. SUB INSPECTOR OF POLICE,
MALUR POLICE STATION, KANNUR DISTRICT - 670 702.
2. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-01-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

B.A.No.530 of 2015

Dated this the 30th day of January 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused Nos.1, 2, 3, 6, 9 and 10 respectively in Crime No.20/2015 of Maloor Police Station, Kannur district registered for the offences punishable under Sections 143, 147, 148, 341, 323, 324 and 308 read with Section 149 of the Indian Penal Code.

3. The allegation against the petitioners and the other accused is that, on 15.1.2015 at 9.15 a.m., they formed themselves into an unlawful assembly armed with deadly weapons and obstructed the motor bike by which the de-facto complainant was riding on, and pushed him down. It is alleged that the fourth

accused inflicted a blow on the head of the de-facto complainant with an iron and the sixth accused repeatedly beat him with a piece of firewood. It is further alleged that the other accused slapped and stamped the de-facto complainant. Accused nos.1, 2, 3, 9 and 10 have been in custody for the period from 20.1.2015 onwards and the sixth accused has been in custody for the period from 17.1.2015 onwards.

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

5. No criminal antecedents have been reported against the petitioners. The investigation of this case is practically over. Continued detention of the petitioners in custody is not required for the continued investigation of the case. Having regard to the period undergone by the petitioners in custody, the present stage of investigation and the absence of criminal antecedents on the part of the petitioners, I am satisfied that the petitioners can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail 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 concerned Judicial First Class Magistrate's Court, and subject to the following terms and conditions:-

(i) The petitioners shall report before the Investigating Officer in between 9 am and 11 am on all Fridays and Tuesdays, commencing from 6.2.2015, 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

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PA to Judge