

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 24TH DAY OF APRIL 2015/4TH VAISAKHA, 1937

Bail Appl..No. 606 of 2015 (A)

CRIME NO. 104/2015 OF THIRURANGADI POLICE STATION , MALAPPURAM

PETITIONERS:

- 1. MOHAMMEDALI, AGED 41 YEARS
S/O.ABOOBACKER, PIRUVANKUZHIYIL, KAKKADU P.O
THIROORANGADI VILLAGE, MALAPPURAM DISTRICT.**
- 2. SUROOR, AGED 41 YEARS
S/O.ABOOBACKER, PIRUVANKUZHIYIL, KAKKADU P.O
THIROORANGADI VILLAGE, MALAPPURAM DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS:

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM THROUGH SUB INSPECTOR OF POLICE
THIROORANGADI POLICE STATION, MALAPPURAM.**

BY PUBLIC PROSECUTOR SMT. V.H. JASMINE

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24-04-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

JJJ

BABU MATHEW P. JOSEPH, J.

B.A. No. 606 of 2015

Dated this the 24th day of April, 2015

ORDER

This petition is filed under section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and the learned public prosecutor appearing for the respondent. C.D. produced.

3. The petitioners are accused in crime No. 104 of 2015 of Thiroorangadi Police Station. The offences alleged are under Sections 452, 323, 326 and 427 read with Section 34 of IPC. Learned counsel appearing for the petitioners submits that the de facto complainant in this case is the petitioners' step mother. They have no criminal antecedents. They are innocent of the allegations raised against them. The investigation of the case has progressed much. The custodial interrogation of the petitioners is not required in this case. He further submits that the petitioners apprehend arrest by the police at any time.

4. The Case Diary shows that the investigation of the case has progressed much. On considering the facts and circumstances and the stage of the investigation, this Court is of the view that the petitioners can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioners are granted anticipatory bail subject to the following conditions:

- 1) The petitioners shall surrender before the Investigating Officer on or before 02-05-2015. In the event of their arrest, they shall be released on bail on their executing bonds for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
- 2) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

- 3) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.
- 4) The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.
- 5) The petitioners shall not commit any similar offence while on bail.
- 6) The petitioners shall not leave India without the previous permission of the concerned Magistrate's Court.

This application is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH,
JUDGE

//True Copy//

P.A. to Judge