

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

Bail Appl.No. 625 of 2015  
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CRIME NO. 32/2015 OF OTTAPALAM POLICE STATION, PALAKKAD  
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PETITIONER(S)/ACCUSED:  
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1. MANILAL @ MANULAL @ MANU, AGED 23 YEARS,  
S/O.CHAMIKUTTY, KALLIDUMBIL HOUSE, AKALUR POST,  
OTTAPALAM TALUK.
2. VINEETH, AGED 19 YEARS,  
S/O.VASUDEVAN, MOOCHIKKAL HOUSE, AKALURE POST,  
OTTAPALAM.
3. VINEETH @ VINOD, AGED 23 YEARS,  
S/O.MOHANDAS, PANANTHURAYIL HOUSE, AKALUR POST  
OTTAPALAM.
4. SREEJITH, AGED 22 YEARS,  
S/O.VASU, CHOPPULLY HOUSE, AKALUR POST,  
OTTAPALAM.

BY ADV. SRI.R.SREEHARI

RESPONDENT(S)/COMPLAINANT:  
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STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA,  
ERNAKULAM THROUGH THE STATION HOUSE OFFICE,  
OTTAPALAM POLICE STATION, OTTAPALAM - 679 101.

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
18-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

msv/

**B.KEMAL PASHA, J.**

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B.A. No.625 of 2015

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*Dated this the 18<sup>th</sup> day of February, 2015*

**ORDER**

Petition filed under Section 438 Cr.P.C.

2. Petitioners are A1 to A4 in Crime No.32 of 2015 of the Ottapalam Police Station, registered for the offences punishable under Sections 294(b), 447, 341, 323, 324 and 308 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioners is that on 01.01.2015, at 00.30 a.m., they committed trespass into the courtyard of the house of the defacto complainant, and wrongfully restrained and beat the defacto complainant with wooden sticks.

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

5. The learned counsel for the petitioners has pointed out that the defacto complainant and others are the accused in Crime No.26 of 2015 of the said Police Station, registered for the offences punishable under Sections 294(b), 307, 324 and 506(i) read with Section 34 of the Indian Penal Code, in

which the defacto complainant in that case, who is the 3<sup>rd</sup> petitioner herein, was brutally attacked and attempted to be murdered. He sustained very serious injuries in the incident. According to the learned counsel for the petitioners, the present crime is an after thought and is caused to be registered as counter-blast to the other case. 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 Wednesdays and Saturdays commencing from 25.02.2015 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/18/2/15*

*// True Copy //*

*PA to Judge*