

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

Bail Appl..No. 657 of 2015

CRIME NO. 1592/2014 OF ARYANAD POLICE STATION , THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED:

1. VISHNU S.S., AGED 19 YEARS,
S/O.SASIDHARAN, KONNAMOODU VEEDU, KOTTAKKALAM,
ARYANADU, THIRUVANANTHAPURAM DISTRICT.
2. VISHNU S, AGED 22 YEARS,
S/O.SUKU, KOLLAKUDIVILAKOM, KOTTAKKAKAM,
ARYANADU, THIRUVANANTHAPURAM DISTRICT.
3. VISHNU T, AGED 22 YEARS,
S/O.THULASEEDHARAN, UNNI BHAVAN, INCHAPURI,
KOTTAKOM P.O., ARYANADU, THIRUVANANTHAPURAM.
4. ANEESH KUMAR A.G, AGED 22 YEARS,
S/O.ASOKAN, CHERIYAKATTAKKAL VEEDU, KOTTAKKAKOM P.O.
ARYANADU, THIRUVANANTHAPURAM.
5. SARATH S.S, AGED 21 YEARS,
S/O.SASIDHARAN, KONNAMOODU VEEDU, KOTTAKKAKAM
ARYANADU, THIRUVANANTHAPURAM.
6. NANDU T, AGED 21 YEARS,
S/O.THULASEEDHARAN, UNNI BHAVAN, INCHAPURI,
KOKKOTTELA P.O., ARYANADU, THIRUVANANTHAPURAM.

**BY ADVS.SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTING SUB INSPECTOR OF POLICE, ARYANADU.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

B.SUDHEENDRA KUMAR, J.

.....
B.A.No. 657 of 2015 (B)
.....

Dated this the 26th day of June, 2015

ORDER

The petitioners are accused in Crime No.1592 of 2014 of Aryanadu Police Station. The offences alleged are offences under Sections 143, 147, 148, 447, 427 and 153A read with Section 149 of the Indian Penal Code.

2. The prosecution allegation is that on 21.12.2014 at about 8.45 p.m. the petitioners and the other accused, in furtherance of their common object of promoting communal enmity and hatred, trespassed into the compound of Parandode Mosque and destroyed the dome on the outside wall of the said Mosque.

3. The petitioners have filed this application under Section 438 of the Code of Criminal Procedure.

4. Heard.

5. The learned Public Prosecutor has opposed the application. It appears that there are materials to prima facie

connect the petitioners with the commission of the offence. The offences alleged against the petitioners are very grave in nature. Considering the nature and gravity of the allegations raised against the petitioners, an order under Section 438 Cr.P.C. in favour of the petitioners will not be justified.

In the result, this application stands dismissed. However, the petitioners shall be at liberty to surrender before the Investigating Officer within ten days from today, if so advised. In the event of such surrender by the petitioners, the Investigating Officer shall produce the petitioners before the jurisdictional Magistrate after interrogation. If the petitioners file any application for bail on their production before the jurisdictional Magistrate, the learned Magistrate shall consider and dispose of the application, in accordance with law, as expeditiously as possible.

Sd/-
B.SUDHEENDRA KUMAR
JUDGE

AMV/27/06/

/TRUE COPY/

P.A.TO JUDGE