

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

Bail Appl..No. 692 of 2015

**CRIME NO. 1313/2014 OF MANGALAPURAM POLICE STATION ,
THIRUVANANDAPURAM**

PETITIONERS/A2 & A10:-:

- 1. SHABIN, AGED 18 YEARS
S/O.NOUSHAD, LAKSHAMVEEDU, NO.95
NEAR CHALIL ANGANWADI, VALIYAVEETUMURI
PALLIPPURAM VILLAGE, THIRUVANANTHAPURAM.**
- 2. VINEETH @ CHAKKU, AGED 21 YEARS
S/O.RAJAN, PANAYIL VEEDU, NAMBLARKULAM
VALIYAVEETTU MURI, PALLIPPURAM VILLAGE
THIRUVANANTHAURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT(S)/STATE:-:

**STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE
MANGALAPURAM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

.....
B.A. No.692 OF 2015
.....

Dated this the 11th day of February, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are A2 and A10 in Crime No.1313/2014 of the Mangalapuram Police Station, Thiruvananthapuram registered for the offences punishable under Sections 143, 147, 148, 323, 324, 427 and 308 read with Section 149 of the Indian Penal Code.

3. The allegation against the petitioners is that on 13.11.2014 at 8.45 pm, they formed themselves into an unlawful assembly armed with deadly weapons like iron rods, and voluntarily caused hurt to the defacto complainant and his friends by means of deadly weapons. It is also alleged that they had damaged the motorbike of the defacto

complainant thereby causing a wrongful loss of ₹20,000/- to the defacto complainant. The petitioners have been in custody for the period from 13.01.2015 onwards.

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

5. No criminal antecedents have been reported against the petitioners. The contents of the CD reveal that the investigation of this case is practically over. Continued detention of the petitioners in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioners in custody, the present stage of investigation and the absence of any criminal antecedents on their part, I am of the view 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 their executing a bond for ₹1,00,000/- (Rupees one lakh only) each with two solvent sureties each 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 a.m. and 11 a.m. on all Wednesdays and Saturdays commencing from 18.02.2015 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

ul/-

[True copy]

P.S. to Judge