

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

Bail Appl..No. 730 of 2015 ()

**CRIME NO. 875/2014 OF DHARMADAM POLICE STATION,
KANNUR DISTRICT**

PETITIONERS/ACCUSED:

- 1. LITHIN V., AGED 24 YEARS,
S/O. DINESAN, RESIDING AT VARACHAL HOUSE, MELOOR P.O.
THALASSERY TALUK, KANNUR DISTRICT - 670 661.**
- 2. SHYAMJITH M.S., AGED 21 YEARS,
S/O. P.V.HAREENDRAN, RESIDING AT MVILA HOUSE,
PAYANCHERY, IRITTY P.O., THALASSERY TALUK,
KANNUR DISTRICT - 670 703.**
- 3. SANJAYAN T.R., AGED 21 YEARS,
S/O. GANGADHARAN, RESIDING AT PUTHIYAKANDAM HOUSE,
ARAVANCHAL P.O., THALASSERY TALUK,
KANNUR DISTRICT - 670 102.**

**BY ADVS.SRI.E.C.BINEESH
SMT.M.B.SHYNI**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

B.A.No.730 of 2015 A

Dated this the 16th day of February 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioners are accused Nos.1 to 3 in Crime No.875/2014 of Dharmmadam Police Station, Kannur district registered for the offences punishable under Sections 143, 147, 342 and 353 read with Section 149 of the I.P. C.

3. The allegation against the petitioners is that on 9.12.2014 at 10.15 a.m., they along with 12 other accused persons, formed themselves into an unlawful assembly and kept the Director of Palayadu University campus in a locked room for 3 hours, thereby she was obstructed from the discharge of her official duties.

4. Heard the learned counsel for the petitioners and the

learned Public Prosecutor.

5. According to the learned Public Prosecutor, the incident had occurred when the campus authorities had directed the students of a political organisation to remove the flags and other materials erected by them inside the campus. It is true that the allegations against the petitioners are very grave and serious. At the same time, the fact that the petitioners are students of the college, has also to be considered. Considering the facts and circumstances of this case, I am of the view that anticipatory bail can be granted to the petitioners on stringent conditions.

6. 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 each for the like sum 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 9 a.m. and 11 a.m. on all Mondays and Thursdays, commencing from 23.2.2015 for a period of six months.

(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

dl

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PA to Judge