

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

Bail Appl..No. 879 of 2015 ()

CRIME NO. 8/2015 OF CHALLISSERY POLICE STATION,PALAKKAD DISTRICT

PETITIONER(S)/ACCUSED :

1. HANEEFA, AGED ABOUT 48 YEARS,
S/O. KUNHIPPA, KUZHIKAMDATHIL HOUSE, ITTONAM,
CHATHANUR, PALAKKAD DISTRICT.
2. RAFEEQ, AGED ABOUT 35 YEARS,
S/O. KUNHIPPA, KUZHIKAMDATHIL HOUSE, ITTONAM,
CHATHANUR, PALAKKAD DISTRICT.
3. HAMEED, AGED 37 YEARS,
S/O. KHADER, ERUVAPARAMBIL HOUSE, ITTONAM,
CHATHANUR, PALAKKAD DISTRICT.
4. MUHAMMED, AGED ABOUT 65 YEARS,
S/O. MAMMI, PARAKKL HOUSE, ITTONAM,
CHATHANUR, PALAKKAD DISTRICT.
5. VEERANKUTTY, AGED ABOUT 45 YEARS,
S/O. MUHAMMED, KUVAPPULLY, ITTONAM,
CHATHANUR, PALAKKAD DISTRICT.

BY ADV. SRI.RAJIT

RESPONDENT/STATE :

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

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

K.ABRAHAM MATHEW, J

B.A.NO.879 OF 2015

Dated this the 17th day of July, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 143, 147, 149, 323, 324 and 506 (i) of Indian Penal Code. After the registration of the case Section 364 of Indian Penal Code also was incorporated.

3. The prosecution case is that the petitioners kidnapped the victim, wrongfully restrained him, threatened and assaulted him with hands.

4. Heard.

5. There is no allegation that the petitioners used any weapon or the victim sustained any serious injuries. Custodial interrogation of the petitioners is not necessary for effective investigation.

In the result, this application is allowed.

1. The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent

sureties each for the like sum if they are arrested by the police in connection with this case.

2. They shall appear before the investigating officer between 10 a.m to 11 a.m every alternate Wednesdays for three months or till the final report is filed whichever is earlier

3. They shall not get themselves involved in any other criminal case while they are on bail.

4. They shall not intimidate or attempt to influence the witnesses.

5. They shall not destroy or tamper with the evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law.

If the petitioners surrender before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

sd/-

**K. ABRAHAM MATHEW
JUDGE**