

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

Bail Appl..No. 1031 of 2015 ()

CRIME NO. 60/2015 OF ADHUR POLICE STATION, KASARAGOD DISTRICT

PETITIONERS/NOT ARRAYED AS ACCUSED :

1. JAYAKRISHNAN P., AGED 44 YEARS
S/O.A.KARUNAKARAN NAIR, UPASANA, KODAVANJI HOUSE
MULIYAR VILLAGE AND POST, KASARAGOD TALUK.
2. PRAKASHAN, AGED 34 YEARS
S/O.ACHUTHAN (LATE), KOTOOR HOUSE, P.O.KOTOOR
MULIYAR VILLAGE, KASARAGOD TALUK.

BY ADV. SRI.A.ARUNKUMAR

RESPONDENTS/COMPLAINANT/STATE :

1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.
2. THE STATION HOUSE OFFICER
(CRIME NO.60/2015 OF ADHUR POLICE STATION
KASARAGOD DISTRICT) – 601314.

R1 & R2 BY PUBLIC PROSECUTOR SMT. M. MADHUBEN

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

Mn

K.P. JYOTHINDRANATH, J.

B.A. No.1031 of 2015

Dated this the 7th day of July, 2015

O R D E R

This is an application filed under Section 438 of the Code of Criminal Procedure.

2. When the petition came up for hearing, the learned counsel for the applicants submitted before me that the applicants are apprehending arrest and detention in connection with crime No.60/2015 of Adhur Police Station. It is the submission that the same crime is registered for offences under Sections 143, 147, 148, 153A, 452 r/w. Section 149 of I.P.C. It is the further submission that the allegation is that about 200 identifiable persons with an intention to spread communal violence, unlawfully gathered with sticks and stones and pelted stones at Bovikkanam Juma Masjid and the above said crime was registered.

3. It is the submission made before me that the applicants are implicated in the above said crime as they were happened to be the leaders of BJP. It is the further submission that in the F.I.R. their name was not therein even though they

are the local leaders. It is the further submission that the first petitioner is a teacher by profession in A.U.P. School, Bovikkanam and the second petitioner is a businessman.

4. I heard the learned Public Prosecutor, who vehemently opposed the bail application.

After hearing the learned Public Prosecutor and the learned counsel for the applicants, the following orders passed:

1. The petitioners shall appear before the Investigating Officer within 10 days of this order. On such appearance, the Investigating Officer is at liberty to interrogate the petitioners. After interrogation, if the police officer feels that arrest is necessary, he is at liberty to arrest the petitioners. Thereafter, if any recovery is necessary, that also can be made. Thereafter the petitioners shall be released on bail on executing a bond for Rs.25,000/- each with two solvent sureties each for the like amount to the satisfaction of the officer concerned.
2. After release on bail, the petitioners shall appear before the Investigating Officer on all Saturdays in between 10 a.m and 12 noon for a period of two months.

3. The petitioners shall not commit similar offences during the bail period.
4. The petitioners shall not influence or intimidate the witnesses.

On the above conditions, this anticipatory bail application is allowed.

Sd/-

**K.P. JYOTHINDRANATH
JUDGE**

//True copy//

P.A. TO JUDGE

shg/