

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

Bail Appl.No. 1037 of 2015

CRIME NO. 1270/2014 OF POOCHAKKAL POLICE STATION, ALAPPUZHA

.....

PETITIONER(S)/ACCUSED NO.3:

**AJITH K.P., AGED 23 YEARS,
S/O.PURUSHOTHAMAN, CHIRAYIL VEEDU, NADUVATH NAGAR,
AROOKKUTTY P.O., CHERTHALA.**

BY ADV. SRI.D.AJITHKUMAR

RESPONDENT(S)/STATE:

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

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
10-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B.KEMAL PASHA, J.

.....
Bail Application No. 1037 of 2015

.....
Dated this the 10th day of March, 2015.

O R D E R

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No1270/2014 of Poochakal Police Station registered for the offences punishable under Sections 143, 145, 147, 149, 294(b) and 332 read with Section 149 IPC

3. The prosecution case is that the pilot vehicle of the Home Minister which was driven by the police people smashed against two wheelers kept in front of a workshop at the side of a road. It is alleged that 15 accused persons under the leadership of A1 to A3 formed themselves into an unlawful assembly and committed rioting. It is alleged that they abused the de-facto complainant and other police officers and prevented them from discharging their official

duties. It is also alleged that the petitioner has removed the key of the police jeep.

4. Heard learned counsel for the petitioner and learned Public Prosecutor.

5. It seems that the incident had occurred as a result of a public outburst against the acts of the person who drove the police jeep in smashing and destroying several two wheelers which were placed in front of a workshop at the side of the road. Apart from that, I do not think that any serious things had occurred. Considering the facts and circumstances of the case and the present stage of investigation, I am satisfied that this is a fit case wherein anticipatory bail can be granted to the petitioner especially when no criminal antecedents have been reported against the petitioner.

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 petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹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 petitioner shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Tuesdays and Fridays, commencing from 17-3-2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) The petitioner 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.

B.KEMAL PASHA.
(Judge)

smm

Bail Application No. 1037 of 2015 4