

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936**

**Bail Appl..No. 1277 of 2015**  
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**CRIME NO. 48/2015 OF CHOKLI POLICE STATION , KANNUR**  
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**PETITIONERS/ACCUSED NO 2 AND 7:**  
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- 1. RASLEEF C I, AGED 19 YEARS  
S/O.RASHEED, ALMASHRIQ, PERINGATHUR  
PERINGATHUR P.O, PERINGATHUR S O, PERINGATHUR  
KANNUR 670 675.**
- 2. HANAS MUSTHAFA, AGED 20 YEARS  
S/O.MUSTHAFA M.V, 'HASNAS', KONOTH P.O  
PERINGATHUR, OLIPIL, KANNUR DISTRICT.**

**BY ADVS.SRI.C.KHALID  
SRI.PHIJO PRADEESH PHILIP**

**RESPONDENTS/COMPLAINANT/STATE:**  
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- 1. STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM 682 031.**
- 2. THE STATION HOUSE OFFICER,  
CHOKLI POLICE STATION, KANNUR DISTRICT 670001.**

**BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18-03-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**PJ**

**B.KEMAL PASHA, J.**

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B.A. No. 1277 of 2015

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Dated this the 18<sup>th</sup> day of March, 2015

**ORDER**

Petition under Section 438 Cr.P.C.

2. Petitioners are A2 and A7 in Crime No.48/2015 of the Chokli Police Station registered for the offences punishable under Sections 143, 147, 148, 341, 323, 324 and 308 read with Section 149 IPC.

3. The allegation against the petitioners is that on 16.1.2015 at 5.15 p.m., they along with the other accused formed themselves into an unlawful assembly armed with deadly weapons like iron rods, and attacked the de facto complainant and his friends. It is alleged that the second accused attempted to beat the de facto complainant with an iron rod and the de facto complainant evaded it.

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

5. On going through the contents of the C.D, I do not find sufficient ingredients in the matter to invite an offence under Section 308 IPC. All the other offences are bailable. Considering the facts and circumstances of this case, and the absence of any criminal antecedents on their part, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioners.

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 ₹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 Wednesdays and Saturdays, commencing from

25.3.2015 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**

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P.A to Judge