

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

Bail Appl..No. 1393 of 2015

CRIME NO. 141/2015 OF PAYANGADI POLICE STATION, KANNUR DISTRICT.

PETITIONER/ACCUSED NOS. 3 AND 4:

- 1. ASEEB K.V, S/O.MUHAMMED ALI,
AGED 19 YEARS, KADAPPURATH VEETIL,
MATTUL NORTH, MATTUL AMSOM,
KANNUR DISTRICT.**
- 2. SHUHAIL K., S/O.KARIM, AGED 19 YEARS,
KOCHAN HOUSE, MATTUL NORTH,
MATTUL AMSOM, KANNUR DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENT(S)/COMPLAINANT & STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. THE STATION HOUSE OFFICER
(CRIME NO.141 OF 2015 OF PAYANGADI
POLICE STATION), PALAKKAD DISTRICT, PIN - 679 503.**

BY PUBLIC PROSECUTOR SRI.SREEJITH.V.S

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-03-2015 ALONG WITH BA.1436/2015, THE COURT ON
THE SAME DAY PASSED THE FOLLOWING:**

mbr/

B. KEMAL PASHA, J.

.....
B.A. Nos.1393 & 1436 2015
.....

Dated this the 17th day of March, 2015

ORDER

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Petitions filed under Section 439 Cr.P.C.

2. Petitioner in B.A.No.1436/2015 is the 2nd accused and petitioners in B.A.No.1393/2015 are accused Nos.3 and 4 in Crime No.141/2015 of Payangadi Police Station registered for the offences punishable under Sections 341, 323, 324 and 308 read with Section 34 IPC.

3. The allegation against the petitioners and other accused is that on 12.02.2015 at 11.45 p.m. they wrongfully restrained the de facto complainant and A1 and A2 beat the de facto complainant on his head with wooden reapers. It is alleged that all the accused have slapped, kicked and stamped the de facto complainant. The petitioners have been in custody for the period from 14.02.2015 onwards.

4. Heard learned counsel for the petitioners and the

learned Public Prosecutor.

5. It seems that the investigation is practically over. No criminal antecedents have been reported against the petitioners. Having regard to the period undergone by the petitioners in custody and the present stage of investigation, and the facts and circumstances of the case, I am satisfied that the petitioners can be enlarged on bail.

6. In the result, these Bail Applications are allowed and the petitioners shall be enlarged on bail on each of them executing a bond for ₹25,000/-(Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, 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 Tuesdays and Fridays commencing from 24.03.2015 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)

aks/17/03

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PA to Judge