

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

Bail Appl..No.1705 of 2015

(CRIME NO.60/2015 OF MEENANGADI POLICE STATION,WAYANAD).

..

PETITIONERS/ACCUSED 1,3,5:

1. **MANAF @ ABDUL MANAF,AGED 26 YEARS,
S/O.KAREEM,MULLATH HOUSE,KARANI POST,
KANIAMBATTA VYTHIRI,WAYANADU DISTRICT.**
2. **RIJAS,AGED 26 YEARS,S/O.KUNHAYAMU,
ELAYADATH HOUSE, KARANI POST,
KANIAMBATTA,VYTHIRI,WAYANADU DISTRICT.**
3. **MUSTHAFA,AGED 36 YEARS,S/O.ALIYAMMU,
ELAYADATH HOUSE,KARANI POST,KANIAMBATTA,
VYTHIRI,WAYANADU DISTRICT.**

**BY ADVS.SRI.K.S.ARUN KUMAR
SMT.M.N.MAYA
SRI.M.S.DILEEP
SMT.RESMI THOMAS**

RESPONDENT/COMPLAINANT:

**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 26-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B.KEMAL PASHA, J.

.....
B.A. No.1705 of 2015
.....

Dated this the 26th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused Nos.1, 3 and 5 in Crime No.60/2015 of the Meenangadi Police Station, Wayanadu District registered for the offences punishable under Sections 143, 147, 148, 307 and 323 read with Section 149 IPC.

3. The allegation against the petitioners and other accused is that, on 15.02.2015 at 9.00 p.m., they formed themselves into an unlawful assembly, armed with deadly weapons like iron rod and wooden sticks and called the

defacto complainant to reach the place at which they were waiting. When the defacto complainant reached the place, the first accused beat him on his head with an iron rod and the other accused severely beat him with wooden sticks thereby causing serious injuries and thereby they have attempted to cause his death. The petitioners were arrested on 18.02.2015 and thereafter they have been in custody.

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

5. The contents of the CD reveal that the investigation of this case is practically over. No criminal antecedents have been reported against the petitioners. Continued detention of the petitioners in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioners in custody, the present stage of investigation and the absence of any criminal antecedents on their part, this court is of the view that the petitioners can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on their executing a bond for ₹1,00,000/- (Rupees one lakh only) each with two solvent sureties each 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 Thursdays and Mondays commencing from 02.04.2015 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

ul/-

[True copy]

P.S. to Judge