

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

Bail Appl.No. 1762 of 2015

CRIME NO. 1022/2014 OF CHAKKARAKKAL POLICE SATION, KANNUR
.....

PETITIONER(S)/ACCUSED:

1. MUHAMMED ROSHAN, AGED 25 YEARS,
PULLIKKAL HOUSE, KANNADIPARAMBA, KANNUR.
2. SAHEED M.K., AGED 27 YEARS,
S/O.AHAMMED, MAVILAKKANDY HOUSE, P.O.KOTTALI,
KANNUR.

**BY ADVS.SRI.P.V.MIDHUN
SRI.E.HARIDAS
SRI.K.PRASAD
SRIC.H.NITHIN**

RESPONDENT(S)/COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.
2. THE SUB INSPECTOR OF POLICE,
CHAKKARAKAL POLICE STATION.

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
01-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B. KEMAL PASHA, J.

.....
B.A. No.1762 of 2015
.....

Dated this the 1st day of April, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused Nos.6 and 2 in Crime No.1022/2014 of the Chakkarakkal Police Station, Kannur District, registered for the offences punishable under Sections 143, 147, 341, 323 and 395 read with Section 149 IPC.

3. It is alleged that on 04.12.2014 at 5.00 p.m., three persons came by an Innova car bearing registration No.KL-59H-1996 and waylaid the autorickshaw by which the de facto complainant was travelling. The de facto complainant was asked to go along with them to the place where the petitioner was waiting. As he was not ready to obey it and he proceeded by the autorickshaw, again, the de facto complainant was chased by the Innova car and

waylaid. He was beaten up and his mobile phone and an amount of ₹1,800/- were snatched away from him. The 1<sup>st</sup> petitioner has been in custody for the period from 21.01.2015 onwards and 2<sup>nd</sup> petitioner has been in custody for the period from 18.02.2015 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, this Bail Application is 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 Wednesdays and Saturdays commencing from 08.04.2015 for a period of six months.*

*(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/01/04

//True copy//

PA to Judge.