

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

Bail Appl..No. 1771 of 2015 ()

CRIME NO. 190/2015 OF NALLALAM POLICE STATION, KOZHIKODE

APPLICANTS/ACCUSED 1 AND 2 :

- 1. K.K.ROHISH, AGED 33 YEARS,
S/O.K.K. DASAN, THANNIKKATTU MEETHAL VEEDU,
PANNIYOORKULAM, PANTHEERANKAVU, KOZHIKODE.**
- 2. K.K. BIJU, AGED 33 YEARS,
S/O. K.K. DASAN, THANNIKKATTU MEETHAL VEEDU
PANNIYOORKULAM, PANTHEERANKAVU, KOZHIKODE.**

**BY ADVS.SRI.P.VIJAYA BHANU (SR.)
SRI.M.REVIKRISHNAN
SRI.VIPIN NARAYAN**

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 30-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

.....
B.A. No.1771 of 2015
.....

Dated this the 30th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are A1 and A2 in Crime No.190/2015 of the Nallalam Police Station, Kozhikode registered for the offences punishable under Section Sections 143, 144, 147, 148, 323, 324, 341, 332, 333, 326, 308 and 294(b) read with Section 149 of the Indian Penal Code.

3. The allegation against the petitioners and the other accused is that on 01.03.2015 at 11.25 p.m., while the Additional Sub Inspector of Police, Nallalam and party were engaged in law and order duty, they attacked the police party, abused them, beat, fisted and kicked them and also beat them with stick thereby the police driver sustained grievous hurt. The petitioners have been in custody for the period from 02.03.2015 onwards.

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

5. The contents of the CD, *prima facie*, reveal the complicity of the petitioners. No criminal antecedents have been reported against the petitioners. The investigation of this case is practically over. 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 Mondays and Thursdays commencing from 06.04.2015 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