

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

Bail Appl..No. 1879 of 2015 ()

CRIME NO. 338/2014 OF MAYYIL POLICE STATION, KANNUR DISTRICT.

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PETITIONER/ACCUSED NO.11:-

**MUHAMMED RAFEEQUE, S/O.ABOOBAKER,
AGED 23 YEARS, RESIDING AT KANIYANKUNNIL HOUSE,
KUTTIYATTOR AMSOM, PAVANNURMOTTA, KANNUR.**

BY ADV. SRI.C.K.SREEJITH.

RESPONDENTS/COMPLAINANT & STATE:

- 1. THE STATION HOUSE OFFICER,
MAYYIL POLICE STATION,
KANNUR DISTRICT - 670 602.**
- 2. THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.LISHA. M.G.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

SUNIL THOMAS, J.

B.A. No.1879 OF 2015

Dated this the 25th day of June, 2015

O R D E R

The 11th accused in Crime No.338/2014 of Mayyill Police Station for offences punishable under Sections 143,147,148,342,323, 324,326,367 & 427 read with Section 149 of IPC is the petitioner herein.

2. The prosecution alleged that on 18/4/2014 at about 6 pm the accused kidnapped the de-facto complainant in an alto car and assaulted him. Subsequently, he was released. On the basis of the complaint lodged by him, a crime was registered and the seven of the accused were arrested. The petitioner apprehends arrest. Hence, this pre-arrest bail application.

3. Heard. Examined the records.

4. Previous enmity is alleged to be a motive of the entire incident. However, no very serious overtacts are alleged against the accused, essentially against the present petitioner. Investigation was substantially progress. The main accused have been arrested and released. Hence, I feel that the custodial interrogation of the petitioner herein can be avoided and the bail can be granted subject to the following conditions:

i). The petitioner shall appear before the investigating officer on

18/7/2015 between 9 and 10 a.m. He shall offer himself for interrogation and after conclusion of it, he shall be released on bail on he executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum.

ii). He shall appear before the Investigating officer on all Fridays between 9 and 10 a.m. for a period of one month from the date of execution of bond as mentioned above.

Iii). He shall not get involved in any other identical offence and shall also not in any manner interfere in the investigation process or intimidate the de facto complainant and the witnesses.

The petition is allowed as above.

SUNIL THOMAS
Judge

dpk

