

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 24TH DAY OF APRIL 2015/4TH VAISAKHA, 1937

Bail Appl..No. 2056 of 2015 ()

**IN SC 314/2014 of ADDL. D.C. & SESSIONS COURT - I, KALPETTA
CRIME No.449 OF 2014 OF MEPPADI POLICE STATION**

PETITIONER(S):

1. **OUSEPH K.E @ JILSON, AGED 22 YEARS
S/O. EALIAS K.O., KUNNARATH HOUSE
MANIKUKNI, KOOLAL, KONNACHAL POST
ERUMADU VILLAGE, NILGIRI**
2. **BIPIN VARGHESE @ BABAN, AGED 27 YEARS
S/O. VARGHESE, KAIYANIKKAL HOUSE
KARIKANNIKUNNU, MANDAD, THRIKKAIPETTA VILLAGE
VYTHIRI TALUK, WAYANAD**
3. **SILJO K.E., AGED 25 YEARS, S/O. EALIAS K.O.
KUNNARATH HOUSE, MANIKUKNI
KOOLAL, KONNACHAL POST
ERUMADU VILLAGE, NILGIRI.**

BY ADV. SRI.MVS.NAMBOOTHIRY

RESPONDENT(S):

**STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.**

R BY PUBLIC PROSECUTOR, SRI. C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
24-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

das

BABU MATHEW P. JOSEPH, J.

B.A. No. 2056 of 2015

Dated this the 24th day of April, 2015

ORDER

This petition is filed under section 439 of Cr.P.C. for bail.

2. Heard the learned counsel appearing for the petitioners and the learned public prosecutor appearing for the respondent.

3. The petitioners are accused 1 to 3 in crime No. 449 of 2014 of Meppadi Police Station. The offences alleged are under Sections 120B, 449, 302, 392 and 201 read with Section 34 of IPC. The petitioners were arrested on 17-09-2014 and produced before the Court. They were remanded to judicial custody. They continue to be in custody. Learned counsel for the petitioners submits that the petitioners are innocent of the allegations raised against them. They have no criminal antecedents. The investigation of the case was over and final report was filed

before the Court. The learned Magistrate committed the case to the Sessions Court. He further submits that the continued custody of the petitioners is not required in this case.

4. Learned Public Prosecutor, on instructions, submits that the investigation of the case was over and final report was filed before the Court. He further submits that the learned Magistrate committed the case to the Sessions Court. On considering the facts and circumstances, this Court is of the view that the petitioners can be granted bail imposing appropriate conditions.

5. Therefore, the petitioners are granted bail subject to the following conditions:

- 1) The petitioners shall be released on bail on their executing bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the Additional Sessions Court-I, Kalpetta.

- 2) The Additional Sessions Judge-I, Kalpetta, shall insist on producing documents proving the identity of the petitioners issued by the revenue or local authorities. The petitioners shall also furnish the numbers of their mobile phones to the Additional Sessions Court-I, Kalpetta.
- 3) The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Thursdays for a period of two months.
- 4) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.
- 5) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.
- 6) The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

- 7) The petitioners shall not commit any similar offence while on bail.
- 8) The petitioners shall not leave India without the previous permission of the Additional Sessions Court-I, Kalpetta.

This application is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH,
JUDGE

//True Copy//

P.A. to Judge