

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

Bail Appl..No. 2062 of 2015

CRIME NO. 340/2015 OF KILIMANOOR POLICE STATION , THIRUVANANDAPURAM

PETITIONERS/ACCUSED NO 5 & 6:

1. PRIJI P, AGED 36 YEARS,
S/O.PRABHAKARAN, PRABHA SADANAM, ALATHUKAVU
PANGANADU P.O, KILIMANOOR,
THIRUVANANTHAPURAM DISTRICT.
2. RAJEEV T, AGED 37 YEARS,
S/O.THILAKAN, USHA VILASOM, VILAVOOR KONAM,
VELLALLOOR P.O, KILIMANOOR,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENTS/STATE AND COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.
2. SUB INSPECTOR OF POLICE,
KILIMANOOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT-695101.

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21-05-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.2062 of 2015

Dated this the 21st day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused Nos. 4 and 7 in Crime No.340 of 2015 of Kilimanoor Police Station registered for the offences under Sections 143, 147, 149, 294(b), 341, 323, 332 and 427 of Indian Penal Code read with Sections 117 (e) of Kerala Police Act.

3. The allegation is that they along with a few others obstructed the police from discharging their duties when the police attempted to remove a lorry to the police station and the petitioners destroyed the writing pad of the police.

4. Heard.

5. The prosecution has no case that any of the police officers sustained any serious injuries. It appears that there was a dispute with regard to dumping of waste in open space by certain shop owners. The petitioners and others allegedly blocked the vehicle which brought the waste for dumping which led the incident alleged in the First Information Statement. First petitioner has already been arrested and released on bail. It appears that custodial interrogation of the second petitioner is not necessary for effective investigation. The second petitioner will be released on bail.

In the result, this application is allowed in part.

1) The second petitioner shall be released on bail after interrogation on their executing a bond for Rs.Twenty five thousand only with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) The second petitioner shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) The second petitioner shall not destroy or tamper with evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge