

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

TUESDAY, THE 21ST DAY OF APRIL 2015/1ST VAISAKHA, 1937

Bail Appl..No. 2068 of 2015

CRIME NO. 108/2015 OF MEENANGADI POLICE STATION , WAYANAD

PETITIONER(S)/ACCUSED:

1. VIVEK, AGED 30 YEARS, S/O.MALLINATH,
RESIDING AT VIDYA NILAYAM, VARADHOOR P.O.,
MEENANGADI VIA, WAYANAD DISTRICT-673591.
2. LINTO, AGED 35 YEARS, S/O.VARGHESE,
RESIDING AT KOMAYIL HOUSE, CHENNALI, KARIYAMPADI P.O.,
MEENANGADI VIA, WAYANAD DISTRICT-673591.
3. SAJEEVAN, AGED 37 YEARS, S/O.KUMARAN,
RESIDING AT PARAKKANIRAPPEL HOUSE, MAYILAMPADI P.O.,
MEENANGADI VIA, WAYANAD DISTRICT-673591.
4. RANJITH, AGED 36 YEARS, S/O.ACHUTHAN,
RESIDING AT THODUKATTIL HOUSE, MEENANGADI P.O.,
WAYANAD DISTRICT, PIN-673591.
5. HAJIS, AGED 27 YEARS, S/O.SUBAIR,
RESIDING AT ULLDAN HOUSE, MEENANGADI P.O.,
WAYANAD DISTRICT-673591.
6. NOUSHAD, AGED 34 YEARS, S/O.MUHAMMED KASIM,
RESIDING AT KUNİYARATH HOUSE, MAYILAMPADI P.O.,
MEENANGADI VIA, WAYANAD DISTRICT-673591.
7. NISHIL BAKKER, AGED 27 YEARS, S/O.MUHAMMEDALI,
RESIDING AT VARYAMKANDI HOUSE, MAYILAMPADI P.O.,
MEENANGADI VIA, WAYANAD DISTRICT-673591.
8. SAJEER @ BABU, AGED 28 YEARS,
S/O.HAMSA, RESIDING AT NAJARATHODAN HOUSE,
MEENANGADI P.O.,WAYANAD DISTRICT-673591.

BY ADVS.SRI.E.C.BINEESH
SMT.M.B.SHYNI

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RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.N.SURESH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21-04-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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BABU MATHEW P. JOSEPH, J.

B.A.No. 2068 of 2015

Dated this the 21st day of April, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and the learned Public Prosecutor appearing for the respondent. C.D. produced.

3. The petitioners are accused 1, 2 and 4 to 9 in crime No.108 of 2015 of Meenangadi Police Station. The offences alleged are under Sections 143, 147, 148, 324 and 308 read with Section 149 of the Indian Penal Code. Learned counsel for the petitioners submits that the petitioners are innocent of the allegations raised against them. The defacto complainant and others, they belong to a political party, unleashed violence against the petitioners who belong to another political party. The investigation of the case has progressed much. Custodial

interrogation of the petitioners is not required in this case. He further submits that the petitioners apprehend arrest by the Police at any time.

4. The Case Diary shows that investigation of the case has progressed much. It appears that the defacto complainant has not sustained any serious injury. On considering the facts and circumstances of the case and the stage of the investigation, this Court is of the view that the petitioners can be granted anticipatory bail imposing appropriate conditions. Therefore, the petitioners are granted anticipatory bail subject to the following conditions:

- 1) The petitioners shall surrender before the Investigating Officer on or before 28.4.2015. In the event of their arrest, they shall be released on bail on their executing bonds for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

- 2) 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.

3) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

4) The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

5) The petitioners shall not commit any similar offence while on bail.

6) The petitioners shall not leave India without the previous permission of the concerned Magistrate's Court.

This application is allowed as above.

BABU MATHEW P. JOSEPH, JUDGE.