

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. 2119 of 2015 ()

CRIME NO. 277/2015 OF PERINGOME POLICE STATION, KANNUR DISTRICT.

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PETITIONERS/ACCUSED NOS.3 AND 4:

- 1. SIRAJUDHEEN T.M, S/O.MUHAMMED BASHEER,
AGED 21 YEARS, THENGILKUNDIL HOUSE,
KORANGAD, PERINGOME, KANNUR DISTRICT.**
- 2. SAMEER.M, S/O.SHAMSUDHEEN,
AGED 23 YEARS, MOTTAMMAL HOUSE,
THATTUMMAL, PADICAL, PERINGOME,
KANNUR DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN,
SRI.P.K.SUBHASH.**

RESPONDENTS/COMPLAINANT & STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE STATION HOUSE OFFICER,
(CRIME NO.277 OF 2015 OF PERINGOME POLICE STATION),
KANNUR DISTRICT-670 001.**

BY SRI.K.I. ABDUL RASHEED, ADDL. D.G.P.

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

rs.

BABU MATHEW P. JOSEPH, J.

B.A.No. 2119 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 respondents.

3. The petitioners are accused 3 and 4 in crime No. 277 of 2015 of Peringome Police Station. The offences alleged are under Section 366 A read with Section 34 of IPC and under Section 57 of the Kerala Police Act. The petitioners were arrested on 31.3.2015 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 1st petitioner is aged 21 and the 2nd petitioner is aged 23. The investigation of the case is almost over. He further submits that the continued custody of the petitioners is not required for completing the investigation.

4. The Case Diary shows that the investigation of the case is almost over. Learned Public Prosecutor submits that no criminal antecedents have been reported against the petitioners. On considering the facts and circumstances, stage of the investigation and the fact that no criminal antecedents have been reported against the petitioners, this court is satisfied that the petitioners can be granted bail imposing appropriate conditions. 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.25,000/- (Rupees twenty five thousand only) each

with two solvent sureties each for the like sum to the satisfaction of the concerned Magistrate's Court.

2) 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.

3) 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.

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

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

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

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

This application is allowed as above.

Sd/-

BABU MATHEW P. JOSEPH, JUDGE.

//TRUE COPY//

P.A TO JUDGE

DG