

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Bail Appl..No. 2166 of 2015 ()

CRIME NO. 334/2015 OF CHAVARA POLICE STATION, KOLLAM DISTRICT

PETITIONER(S)/ACCUSED 1 TO 4 :

- 1. FRANCIS, AGED 45 YEARS,
S/O.FERNANDEZ, PRINCY BHAVANAM, NEENDAKARA P.O.,
NEELESWARAM THOPPU, KOLLAM DISTRICT, PIN -691582**
- 2. BABU @ SEBASTIAN, AGED 55 YEARS,
S/O.VINCENT, AGNES BHAVAN, NEENDAKARA P.O.,
NEELESWARAM THOPPU, KOLLAM DISTRICT, PIN -691 582**
- 3. ANIL, S/O.BABU, AGED 24 YEARS,
NEENDAKARA P.O, NEELESWARAM THOPPU,
KOLLAM DISTRICT, PIN -691 582**
- 4. JOSE, AGED 30 YEARS,
S/O.GEORGE, SONIA MANDIRAM, NEENDAKARA P.O.,
NEELESWARAM THOPPU, KOLLAM DISTRICT, PIN- 691 582**

**BY ADVS.SRI.JOSEPH SEBASTIAN (KOLLAM)
SRI.LIJU. M.P**

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
CHAVARA POLICE STATION, KOLLAM DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

B.SUDHEENDRA KUMAR, J.

Bail Application No.2166 of 2015

Dated this the 25th day of June 2015

O R D E R

The petitioners are the accused in Crime No:334/2015 of Chavara police station registered under Sections 341, 323, 324, 294(b), 506(ii) and 354 read with Section 34 I.P.C.

2. The petitioners have filed this application praying for the relief under Section 438 Cr.P.C.

3. Heard.

4. The learned Public Prosecutor has no serious objection in allowing this application. It has been

submitted by the learned Public Prosecutor that a counter case had been also registered in connection with the incident in this case. It has been further submitted by the learned Public Prosecutor that the accused in the counter case had been already granted the relief under Section 438 Cr.P.C. by the Court. The learned Public Prosecutor has also submitted that the petitioners are not involved in any other offence of similar nature. Considering the facts and circumstances of the case, including the submission of the learned Public Prosecutor, I am inclined to grant the relief under Section 438 Cr.P.C. in favour of the petitioners.

In the result, this application stands allowed and the respondent is directed to release the petitioners on bail in the event of their arrest in connection with Crime

No.334/2015 of Chavara police station, on condition of each of the petitioners executing a bond for Rs.30,000/- (Rupees thirty thousand only) each with two solvent sureties each, each for the like sum to the satisfaction of the Sub Inspector of Police, Chavara Police Station, before whom the petitioners shall surrender within ten days and subject to the following further conditions:

(i) The petitioners shall report before the Investigating Officer on every Monday between 9 a.m. and 11 a.m. for six months and thereafter, as and when required by the Investigating Officer for interrogation.

(ii) The petitioners shall not intimidate or influence the witnesses or in any way tamper with

the investigation.

(iii) The petitioners shall not get involved in any offence during the pendency of this case.

**B.SUDHEENDRA KUMAR,
JUDGE**

dl