

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

Bail Appl.No. 2315 of 2015

CRIME NO. 439/2015 OF PAYYANNUR POLICE STATION, KANNUR
.....

PETITIONER(S)/ACCUSED:

1. MUHAMMED NOUFAL V.K.P., AGED 31 YEARS,
S/O.MUHAMMED ALI C.H., V.K.P. HOUSE,
NEAR THULUVANNUR MAHAVISHNU TEMPLE, PAYYANNUR,
KANNUR DISTRICT, PIN-679 326.
2. IBRAHIM, AGED 31 YEARS,
S/O.HAMSA, NHEKLY, PERINGOM AMSOM DESOM,
PERINGOM (P.O.), TALIPPARAMBA P.O.,
KANNUR DISTRICT, PIN-679 326.

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

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
12-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

msv/

K.ABRAHAM MATHEW, J.

.....
B.A.No. 2315 of 2015

.....
Dated this the 12th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.439 of 2015 of Payyannur Police Station registered for the offences under Sections 341, 323, 324, 308 read with Section 34 of the Indian Penal Code. The prosecution case is that they assaulted the victim with iron rod causing injuries on his head.

3. The learned counsel submits that the police have registered a case against the first informant and others for assaulting him and this is a false case got registered in an attempt to set up a defence in that case. A perusal of the wound certificate of the first informant shows that he did not sustain any injury at all. Having regard to this fact I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

- i. The petitioners shall be released on bail after interrogation on their executing a bond for

Rs.25,000/- (Rupees Twentyfive thousand only)
each with two solvent sureties each for the like
sum if they are arrested by the Police in
connection with this case.

- ii. They shall appear before the Investigating Officer
for interrogation if they are so required by him in
writing.
- iii.They shall not destroy or tamper with evidence.
- iv.They shall cooperate with the investigation.
- v. 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

AMV/12/06/

/TRUE COPY/

P.A.TO JUDGE