

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

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

Bail Appl..No.2383 of 2015

CRIME NO.53/2015 OF MURIKKASSERY POLICE STATION,IDUKKI.

..

PETITIONER'S/ACCUSED 1 AND 2:

1. **BABY,AGED 49 YEARS,S/O.MATHEW,
KUTTYANIKKAL HOUSE,VATHIKKUDY VILLAGE,
MURIKKASSERY,IDUKKI DISTRICT.**
2. **BASIL,AGED 19 YEARS,S/O.BABY,
KUTTYANIKKAL HOUSE,VATHIKKUDY VILLAGE,
MURIKKASSERY,IDUKKI DISTRICT.**

**BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P**

RESPONDENT'S/COMPLAINANT AND STATE:

1. **SUB INSPECTOR OF POLICE,
MURIKKASSERY POLICE STATION,
IDUKKI - 685 604.**
2. **STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM - 682 031.**

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:**

pk

K. ABRAHAM MATHEW, J.

Bail Appl. No.2383 of 2015

Dated this the 12th day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos.1 and 2 in Crime No.53 of 2015 of the Murikkassery Police station. They are alleged to have committed the offences under Secs. 294(b), 308, 323, 324 and 448 read with Sec.34 of Indian Penal Code. The prosecution case is that they assaulted the victim with an iron rod causing him injuries.

3. Heard both sides.

4. The prosecution has no case that the victim sustained any serious injuries. The Police have registered a case against the victim and others for assaulting the petitioners and causing them serious injuries. The incident happened in connection with a dispute over a pathway.

5. It appears that detention of the petitioner is not necessary for effective investigation. So I am inclined to grant the prayer of the petitioners.

In the result, this bail application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

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

4) They shall not destroy or tamper with evidence.

5) They shall not intimidate or attempt to influence the witnesses.

6) They shall not get themselves involved in any other criminal case.

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

K. ABRAHAM MATHEW
JUDGE