

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

Bail Appl..No. 2462 of 2015

CRIME NO. 2246/2013 OF KAYAMKULAM POLICE STATION, ALAPPUZHA DISTRICT.

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PETITIONER(S)/ACCUSED:

1. KAMARAJ.V, AGED 47 YEARS,
S/O. VELSAMI NADAR, 122/1, MIDDLE STREET,
MAVADI NANGUERI, THIRUKKURUNGUDI,
THIRUNELVELI DISTRICT, TAMIL NADU STATE.
2. JIMMY JOSEPH, AGED 35 YEARS,
S/O.K.S. JOSEPH, KANATT HOUSE, KARIMBAM P.O.,
TALIPARAMBA, KANNUR DISTRICT.
3. SUNIL, AGED 44 YEARS,
S/O. SHEIK ABDUL KHADER, JAHAN MANZIL,
KATTUKODE, VADAKKANCHERY, PALAKKAD DISTRICT.
4. PRASANTH NAIR, AGED 42 YEARS,
S/O. AYYAPPAN NAIR, VALLATHERI VADAKKEKARA P.O.,
NEENDOOR, NORTH PARUR, ERNAKULAM.

BY ADV. SRI.R.SANTHOSH BABU

RESPONDENT/STATE/COMPLAINANT:

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

ADDL. R2 IMPEADED

2. K.I.ANI., S/O.KUTTAN, AGED 56 YEARS,
VETTASSERIL, PERINGALAM.P.O., KAYAMKULAM,
ALAPPUZHA DISTRICT.

**ADDL. R2 IS IMPEADED AS PER ORDER DATED 17.08.2015
IN CRL.MA.7771/2015.**

**R1 BY PUBLIC PROSECUTOR SRI.C.RASHEED
ADDL.R2 BY ADV. SRI.V.A.AJIVAS**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.2462 of 2015

Dated this the 17th day of August 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.2246 of 2013 of Kayamkulam Police station registered for the offences under Secs.120(B), 323, 342 and 365 read with Sec.34 of the Indian Penal Code. The prosecution case is that the petitioners abducted the victim, wrongfully confined him and assaulted him at a farm house in Tamil Nadu.

3. Heard both sides.

4. There are conflicting versions by different investigating officers. So I am inclined to grant anticipatory bail to the petitioners.

In the result the bail application is allowed.

1)The petitioners shall be released on bail on their executing a bond for Rs.50,000/- (Rupees fifty 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) The petitioners shall appear before the investigating officer for interrogation if they are so required by him in writing.
- 3) The petitioners shall surrender their passports before the lower court concerned or if they do not have one, file affidavits to that effect.
- 4) They shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.
- 5) They shall not intimidate or attempt to influence the witnesses.
- 6) They shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.
- 7) They shall co-operate with investigation of the 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.

If the petitioners surrender before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/True copy /

NS

P.A. To Judge