

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.2644 of 2015

CRIME NO.102/2015 OF ENATH POLICE STATION,,ADOOR,PATHANAMTITTA.

..

PETITIONER'S:

- 1. VISHNU,AGED 20 YEARS,S/O.KRISHNAMMA,
KODANVILA PUTHEN VEEDU,KARUVATTA,
ADOOR.P.O,PATHANAMTHITTA DISTRICT.**
- 2. VIVEK,AGED 20 YEARS,S/O.RADHAKRISHNA PILLAI,
LAVANYA,ELAMGAMANGALAM,
ENATHU.P.O,PATHANAMTHITTA DISTRICT.**

BY ADV.SRI.K.K.SETHUKUMAR

RESPONDENT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.
(CR.NO.102 OF 2015 ENATH POLICE STATION).**

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.

.....
B.A.No. 2644 of 2015
.....

Dated this the 12th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioners are the 1st and 2nd accused in Crime No. 102 of 2015 of Enathu Police Station, registered for the offences under Sections 323, 324, 326 & 34 of the Indian Penal Code. According to the prosecution they assaulted the first informant with a key chain causing fracture of his nasal bone.

3. Heard both sides.

4. The learned counsel submits that the incident occurred when the petitioners attempted to snatch the mobile phone on which the first informant took the photographs of the first petitioner's sister. The weapon used is said to be a key chain. Having regard to the facts of the case, it appears that custodial interrogation of the petitioners is not necessary.

5. 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