

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 15TH DAY OF MAY 2015/25TH VAISAKHA, 1937

Bail Appl..No. 2652 of 2015

CRIME NO. 391/2015 OF IRITTY POLICE STATION, KANNUR

PETITIONER(S)/ACCUSED :

- 1. SHIBU, AGED 42 YEARS,
S/O.NANU, INDIRA SADANAM, MUZHAKKUNNU,
IRITTY, KANNUR.**
- 2. SHOBY, AGED 32 YEARS,
SANDYALAYAM, MUZHAKKUNNU (P.O.), KANNUR.**
- 3. JISHAL, AGED 18 YEARS,
S/O.PURUSHOTHAMAN, KELOTH HOUSE,
MUZHAKKUNNU (P.O.), KANNUR.**
- 4. MISHAL, AGED 19 YEARS,
S/O.PURUSHOTHAMAN, KELOTH HOUSE,
MUZHAKKUNNU (P.O.), KANNUR.**
- 5. RAJKIRAN, AGED 20 YEARS,
S/O.RAJEEVAN, KELOTH HOUSE, KOOTHUPARAMBA (P.O.),
KANNUR.**

**BY ADVS.SMT.K.DEEPA (PAYYANUR)
SRI.V.R.NASAR**

RESPONDENT(S)/COMPLAINANT :

- 1. THE STATE OF KERALA,
REP.BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM-31.**
- 2. THE SUB INSPECTOR OF POLICE,
IRITTY POLICE STATION, KANNUR.**

BY PUBLIC PROSECUTOR SRI.JIBU.P.THOMAS

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K.ABRAHAM MATHEW, J.

B.A.No.2652 of 2015

Dated this the 15th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.391 of 2015 of Iritty Police Station registered for the offences under Sections 143,147,148,448,341,323,324,326 r/w 149 IUPC.

3. They are alleged to have assaulted the victim with a stick and caused fracture of his bones.

4. Heard.

5. Learned counsel for the petitioner submits that the police have registered a case against the victim for peeping into the bath room where a woman was taking bath and this false case has been got registered in an attempt to set up a defence in that case. The petitioners are members of a family. The weapon has already been recovered. Detention of the petitioners is not necessary for effective investigation. I am inclined to grant the prayer of the petitioners.

In the result, this application is allowed with the following conditions:

- i) 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.

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.

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**

pm