

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

Bail Appl.No. 3078 of 2015

*** CRIME NO. 161/2015 OF SANTHANPARA POLICE STATION, IDUKKI (CORRECTED)**

*** THE CRIME NUMBER OCCURRING IN THE BA.3078/2015 IS CORRECTED AND
SUBSTITUTED AS "CRIME NO.162 OF 2015 OF SANTHANPARA POLICE STATION,
IDUKKI DISTRICT" INSTEAD OF "CRIME NO.161/2015 SANTHANPARA POLICE
STATION, IDUKKI DISTRICT" AS PER ORDER DTD.15.7.2015 IN CRL.MA.6668/2015 IN
BA 3078/2015.**

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PETITIONER(S)/ACCUSED NOS 1 TO 3:

- 1. MURUKAN, AGED 44 YEARS,
6TH LANE, HML ESTATE, GUNDUMALA DIVISION,
SOORYANELLI KARA, CHINNAKANAL VILLAGE, IDUKKI DISTRICT.**
- 2. SUMATHI, AGED 42 YEARS,
W/O. MURUKAN, 6TH LANE, HML ESTATE,
GUNDUMALA DIVISION, SOORYANELLI KARA,
CHINNAKANAL VILLAGE, IDUKKI DISTRICT.**
- 3. RAJU, AGED 19 YEARS,
S/O. MURUKAN, 6TH LANE, HML ESTATE,
GUNDUMALA DIVISION, SOORYANELLI KARA,
CHINNAKANAL VILLAGE, IDUKKI DISTRICT.**

**BY ADVS.SRI.ANIL GEORGE
SRI.M.REVIKRISHNAN**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA - 682 031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
21-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.3078 of 2015

Dated this the 21st day of July 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.162 of 2015 of Santhanpara Police Station registered for the offences under Sections 294(b), 308 and 341 read with Sec.34 of the Indian Penal Code. The prosecution case is that they uttered obscene words, wrongfully restrained the victim and assaulted him with dangerous weapons.

3. Heard both sides.

4. The victim sustained a deep lacerated wound on the scalp.

5. Learned counsel submits that the Police have registered a counter case and in the incident, it was the petitioners who sustained injuries. He relies on Annexures A2 and A3. These documents prove that the 1st and 3rd petitioners sustained very serious injuries.

6. The prosecution has no explanation for it. So I am inclined to grant the prayer of the petitioners.

In the result, the 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 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 between 10.00 a.m. and 11.00 a.m. every alternate Wednesday for three months or till the final report is filed, whichever is earlier.

3) The petitioners shall surrender their passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

4) The petitioners shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioners shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.

6) The petitioners shall not intimidate or attempt to influence the witnesses.

7) The petitioners 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 /

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P.A. To Judge