

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

Bail Appl..No. 3080 of 2015 ()

AGAINST THE ORDER/JUDGMENT IN CRMC 657/2015 of SESSIONS COURT,
MANJERI DATED 06-05-2015
CRIME NO. 313/2015 OF THENHIPPALAM POLICE STATION , MALAPPURAM

PETITIONER(S) :

1. NITHIN BALAKRISHNAN, AGED 22 YEARS
S/O. K.P. BALAKRISHNAN, GAYATHRI HOUSE, CHERAKKODU,
VELIMUKKU POST, THIRURANGADI TALUK,
MALAPPURAM DISTRICT 676 317

2. ABHIJITH K.P., AGED 22 YEARS
S/O. JAYARAJAN K.S., PAVITHRAM HOUSE, MUMMULLI
NILAMBUR RS POST, MALAPPURAM DISTRICT 679 330

3. AKHIL SURENDRAN, AGED 22 YEARS
S/O. K.C. SURENDRAN, VALIYAPARAMBIL HOUSE
PAILAKKOTTUKARA, EAST FORT POST
THRICHUR DISTRICT 680 005

4. SIJO JOSEPH, AGED 22 YEARS
S/O. JOSEPH K.T., KALAYIL HOUSE, PEECHI POST
TRICHUR TALUK, THRICHUR DISTRICT 680 653

5. VISHNU K.C., AGED 22 YEARS
S/O. K.PANKAJAKSHAN, K.C. KALAM,
MANNAPRA POST, ALATHUR TALUK
PALAKKAD DISTRICT 678 685

6. JAISON SEVIYAR, AGED 20 YEARS
S/O. SEVIYAR V.K., VELIPPARAMBIL HOUSE,
MUNDANVELI POST, ERNAKULAM DISTRICT 682 507

7. NITHIN G., AGED 19 YEARS
S/O. J.GOPI, G.N. BHAVAN, NEDUMBAZHANJI
PARASUVAKKAL POST, TRIVANDRUM 695 508

BY ADVS.SRI.T.B.HOOD
SMT.M.ISHA

RESPONDENT(S) :

STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE
THENHIPPALAM POLICE STATION, MALAPPURAM
THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, KOCHI-682031

BY PUBLIC PROSECUTOR SMT.M.G.LISHA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
17-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

Bail Application No. 3080 of 2015

Dated this the 17th day of June, 2015

ORDER

The petitioners are the accused in Crime No.313/2015 of Thenhippalam Police Station, registered under Sections 143, 147, 148, 323, 341 and 326 read with Section 149 of the Indian Penal Code.

2. The petitioner has filed this application under Section 438 Cr.P.C.

3. Heard.

4. The learned Public Prosecutor has no serious objection in allowing this application.

5. The allegation is that on 31.03.2015 at 7.00 p.m., the petitioners and the other accused attacked the defacto complainant, causing fracture on the nasal bone of the defacto complainant. It has been submitted by the learned counsel for the petitioners that the petitioners are studying for B Tech in the Institute of Engineering, Calicut University. There is no allegation that the fracture on the nasal bone of the de facto complainant was caused due to the attack with any weapon. It has been submitted by the learned Public Prosecutor that the petitioners are not involved in any other offence of similar nature. The petitioners are students. Considering the facts and circumstances, including the fact that the petitioners are students, I am inclined to grant the relief under Section 438 Cr.P.C. in favour of the petitioners.

6. In the result, this application stands allowed and the respondent is directed to release the petitioners on bail in the event of their arrest in connection with Crime No.313/2015 of Thenhippalam Police Station, on condition of each of the petitioners executing a bond for Rs.20,000/- (Rupees twenty thousand only) each, with two solvent sureties each, each for the like sum to the satisfaction of the Sub Inspector of Police, Thenhippalam Police Station, before whom the petitioners shall surrender within 10 days from today and subject to the following further conditions:

(1) The petitioners shall report before the Investigating Officer on every Sunday between 9.00 a.m. and 11.00 a.m. for six months or till the filing of the final report, whichever is earlier.

(2) The petitioners shall not get involved in any offence during the pendency of this case.

(3) The petitioners shall not intimidate or influence the witnesses or in anyway tamper with the investigation.

Sd/-

B.SUDHEENDRA KUMAR, JUDGE.

/true copy/

P. A. to Judge