

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Bail Appl..No. 3363 of 2015 (A)

AGAINST THE ORDER IN CRL.MC 1107/2015 of SESSIONS COURT,THRISSUR
DATED 01/06/15

CRIME NO. 306/2015 OF VARANTHARAPPILLY POLICE STATION , TRISSUR

PETITIONERS/1ST AND 2ND ACCUSED PERSONS:-

1. JOSE, AGED 37 YEARS
S.O.JOSE, KUNNAMKADA HOSUE, CHERPU DESOM
CHERPU VILLAGE, THRISSUR DISTRICT.
2. SHAJI, AGED 40 YEARS
S/O.AUGUSTINE, NIRAPPATH HOUSE, INCHAKKUNDU DESOM
THRISSUR DISTRICT.

BY ADVS. SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO

STATE OF KERALA/COMPLAINANT:

THE STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE
VARANTHARAPPILLY POLICE STATION
THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA ATERNAKULAM.

BY PUBLIC PROSECUTOR SRI.LISHA M.G.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
24-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B. A. No.3363 of 2015

Dated this the 24th day of June, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C for anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and the learned Public Prosecutor appearing for the respondent. C.D. produced.

3. The petitioners are accused 1 and 2 in Crime No.306 of 2015 of Varantharappilly Police Station. The offences alleged are under Sections 341, 506(i), 294(b) and 308 read with Section 34 of IPC. Learned counsel for the petitioners submits that the petitioners are innocent of the allegations raised against them. They have no criminal antecedents. The investigation of the case has progressed much. The de facto complainant has not suffered any injury. The custodial interrogation of the petitioners is not required in this case.

He further submits that the petitioners apprehend arrest by the police at any time.

4. Learned Public Prosecutor has opposed this petition. The Case Diary shows that the investigation of the case has progressed much. Learned Public Prosecutor submits that no criminal antecedents have been reported against the petitioners. On considering the facts and circumstances, stage of the investigation and the facts that the de facto complainant has not sustained any serious injury and no criminal antecedents have been reported against the petitioners, this Court is of the view that the petitioners can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioners are granted anticipatory bail subject to the following conditions:

- 1)The petitioners shall surrender before the Investigating Officer on or before 01-07-2015. In the

event of their arrest, they shall be released on bail on their executing bonds for ₹ 25,000/- (Rupees twentyfive thousand only) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

2)The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

3)The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

4)The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

5)The petitioners shall not commit any similar offence

while on bail.

6)The petitioners shall not leave India without the previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-

BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE