

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR**

**FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937**

**Bail Appl..No. 3386 of 2015 ()**

**CRIME NO. 451/2015 OF VALANCHERY POLICE STATION,MALAPPURAM DISTRICT**

**PETITIONER(S)/1ST AND 2ND ACCUSED:**

- 1. SUDHEESH, AGED 20 YEARS,  
S/O.CHANAN, VAKATH HOUSE, AMBAL,  
VALIYAKUNNU P.O., VALANCHERY, MALAPPURAM DISTRICT.**
- 2. VIBINRAJ,AGED 18 YEARS, S/O.VELAYUDHAN,  
ITTATHUPRAMBIL HOUSE, IRUMBLIYAM P.O.,  
VALANCHERY, MALAPPURAM DISTRICT.**

**BY ADV. SRI.JAMSHEED HAFIZ**

**RESPONDENT/COMPLAINANT:**

**THE STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM, PIN: 682 031.**

**BY PUBLIC PROSECUTOR SRI.N.SURESH**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 26-06-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**sts**

**B.SUDHEENDRA KUMAR, J.**

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Bail Application No.3386 of 2015  
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Dated this the 26<sup>th</sup> day of June 2015

O R D E R

The petitioners are the accused in Crime No.451 of 2015 of Valanchery police station registered under Sections 143, 147, 148, 341, 323, 324, 308, 354, 427 and 294(b) read with Section 149 I.P.C.

2. The allegation of the prosecution can be briefly stated thus:- On 13.4.2015 at about 9.30 p.m., the petitioners and the other accused attacked the *defacto complainant*, his wife and the sister of his wife causing

injuries on them. The first accused inflicted injuries with a stone. The other accused did not use any material object to inflict injuries on the *defacto complainant*. The incident occurred when the car driven by the *defacto complainant* incidentally obstructed the procession from the Harijan colony. It has been submitted that the 2<sup>nd</sup> petitioner is a student. It appears that the 2<sup>nd</sup> petitioner is aged 18 years and the first petitioner is aged 20 years. The learned Public Prosecutor has submitted that the petitioners are not involved in any other offence of similar nature. The injuries sustained by the de facto complainant are not serious injuries. Considering the facts and circumstances of the case, including the fact that the petitioners are first time offenders, I am inclined to grant the relief under

Section 438 Cr.P.C.in favour of the petitioners.

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.451 of 2015 of Valanchery police station, on condition of each of the petitioners executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each, each for the like sum to the satisfaction of the Sub Inspector of Police, Valanchery Police Station, before whom the petitioners shall surrender within ten days and subject to the following further conditions:

- (i) The petitioners shall report before the Investigating Officer on every Monday between 9 a.m. and 11 a.m. for three months and thereafter,

as and when required by the Investigating Officer for interrogation.

(ii) The petitioners shall not intimidate or influence the witnesses or in any way tamper with the investigation.

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

**B.SUDHEENDRA KUMAR,  
JUDGE**

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