

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE BABU MATHEW P.JOSEPH

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Bail Appl..No.3416 of 2015

CRIME NO.338/2015 OF WADAKKANCHERY POLICE STATION,TRISSUR.

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PETITIONER'S/ACCUSED:

- 1. PRANAV,AGED 22 YEARS,S/O.PRADEEP,
PATTIYAT HOUSE,MUNDATHIKODU P.O.
WADAKANCHERRY,THRISSUR.**
- 2. PRADEEP,AGED 50 YEARS,S/O.RAMAN,
PATTIYAT HOUSE,MUNDATHIKODU P.O.
WADAKANCHERRY,THRISSUR.**

BY ADV.SRI.VINAY RAMDAS

RESPONDENT/STATE/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
WADAKKANCHERRY POLICE STATION,(THRISSUR DISTRICT),
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.MADHU BEN.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

BABU MATHEW P. JOSEPH, J

B.A No.3416 of 2015

Dated this the 25th 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 the accused in Crime No.338 of 2015 of Wadakkancherry Police Station. The offences alleged are under Sections 334, 447 and 308 read with Section 34 of IPC. Learned counsel for the petitioners submits that the first petitioner, aged 22, is the son of the second petitioner. They are innocent of the allegations raised against them. They have no criminal antecedents. The investigation of the case is almost over. The custodial interrogation of the petitioners is not required in this case. The alleged victims in this case have not

suffered any serious injury. 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. She has also not disputed the fact that the victims have not suffered any serious injuries. It is her further submission that the iron rod and torch used by the accused in the occurrence have already been recovered. On considering the facts and circumstances, stage of the investigation and the facts that the alleged victims have not suffered 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 02-07-2015. 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

AD