

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

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

Bail Appl..No. 3459 of 2015

CRIME NO. 509/2015 OF MALA POLICE STATION , THRISSUR DISTRICT

PETITIONER(S)/ACCUSED NOS: 1 TO 3:

- 1. SARATH, AGED 19 YEARS,
S/O.HARIDAS, ALOOR HOUSE, POOPATHY DESOM,
POYYA VILLAGE, THRISSUR DISTRICT.**
- 2. GOKULDAS, AGED 24 YEARS,
S/O.GOPI, MOOTHEDATHUPARAMBIL, THIRUTHA DESOM,
THIRUMUKKULAM, THRISSUR DISTRICT.**
- 3. MANU, AGED 24 YEARS,
S/O.SIVAN, POLACIRA HOUSE, POOPATHY DESOM,
POYYA VILLAGE, THRISSUR DISTRICT.**

**BY ADVS.SRI.M.SHAJU PURUSHOTHAMAN
ADV.SRI.K.S.RAJESH**

RESPONDENT(S):

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM REPRESENTING THE S.I.OF POLICE, MALA.**

BY PUBLIC PROSECUTOR SMT.R.REMA

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

Msd.

K. ABRAHAM MATHEW, J.

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B.A.No. 3459 of 2015

Dated this the 25th day of June, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 143, 147, 148, 341, 323, 324 and 308 read with Section 149 of IPC. The prosecution case is that armed with deadly weapons, they assaulted the first informant.

3. Heard.

4. The petitioners have been in custody since 18.05.2015 and 21.05.2015. It is true that some of the accused have not been arrested so far. But, that alone cannot be a ground to detain the petitioners. Having regard to the facts of the case, I am inclined to grant their prayer.

In the result, this application is allowed.

1)The petitioners will be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only)each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

- 2)The petitioners shall appear before the Investigating Officer between 10 a.m and 11 a.m. on every Wednesday for three months, or till the final report is filed, whichever is earlier.
- 3)The petitioners shall surrender their passports before the lower concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.
- 4)The petitioners shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.
- 5)They shall not intimidate or attempt to influence the witnesses, nor shall they get themselves involved in any other criminal case.

If the petitioners violate any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge