

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

Bail Appl..No. 3657 of 2015 ()

CRIME NO. 899/2014 OF CHITTAR POLICE STATION, PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED :

1. JACOB THOMAS,
AGED 47 YEARS, S/O.THOMAS,
VALAYAMPALLIYIL HOUSE, KOCHUKOICKAL P.O.
SEETHATHODU VILLAGE, KONNI TALUK.
2. MATHAI A.M.,
AGED 36 YEARS, S/O.MATHEW,
ATTUPANKIL HOUSE, VALUPARA
SEETHATHODU VILLAGE, KONNI TALUK.

**BY ADVS.SRI.THOMAS ABRAHAM
SMT.MERCIAMMA MATHEW
SRI.V.RENJITHKUMAR
SRI.ASWIN P. JOHN**

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA-682 031.
2. SUB INSPECTOR OF POLICE
CHITTAR POLICE STATION, PATHANAMTHITTA DISTRICT-689 663.

R1 & R2 BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K.ABRAHAM MATHEW, J

B.A.NO.3657 OF 2015

Dated this the 13th day of July, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 3(1) of Prevention of Damages to Public Properties Act 1984 and under Sections 143, 147, 148, 294(B), 342, 353 read with Section 149 of Indian Penal Code.

3. The prosecution case is that they uttered obscene words at a public place, wrongfully confined the forest officers who were inspecting vehicles carrying timber and thereby they prevented the forest officers from discharging their duties.

4. Heard.

5. It is also alleged that they damaged the forest department's vehicle causing a loss of Rs.4000/- to the department. The prosecution has no case that the forest officers were assaulted. The nature of the case indicates that for effective investigation custodial interrogation of

the petitioners is not necessary. So I am inclined to grant their prayer for anticipatory bail.

In the result, this application is allowed.

1. The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent sureties each for the like sum if they are arrested by the police in connection with this case.

2. They shall appear before the investigating officer between 10 a.m to 11 a.m every alternate Wednesday for three months or till the final report is filed whichever is earlier.

4. They shall not get themselves involved in any other criminal case while they are on bail.

5. They shall not intimidate or attempt to influence the witnesses.

6. They shall not destroy or tamper with evidence.

7. Each of the petitioners shall deposit Rs.2,000/- in the trial court within seven days.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in

accordance with law.

If the petitioners surrender before the Magistrate this order is not applicable and the learned magistrate may pass appropriate orders.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge