

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

Bail Appl..No. 3903 of 2015 ()

**CRIME NO. 1244/2014 OF PAYYANNUR POLICE STATION,
KANNUR DISTRICT**

PETITIONERS/ACCUSED NOS. 6,7 AND 9 :

- 1. MASOOD MAHAMOOD, AGED 22 YEARS,
S/O.MAHAMOOD, MEHAVOOVAS, MADAKKAL (H)
PUNCHAKKAD, PAYYANNUR AMSOM.**
- 2. MANASIR K.V., AGED 25 YEARS,
S/O.MUHAMMADALI, KUTTUVAN PEEDIKAVALAPPIL (H)
VADAKKUMBAD, RAMANTHALI AMSOM, KANNUR DT.**
- 3. HASSAN ABDUL KHADER, AGED 24 YEARS,
S/O.ABDUL KHADER, AYISHA MANZIL, VADAKKUMBAD,
RAMANTHALI AMSOM.**

**BY ADVS.SRI.M.SASINDRAN
SRI.P.K.SUBHASH**

RESPONDENTS/COMPLAINANT & STATE :

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**
- 2. THE STATION HOUSE OFFICER,
PAYYANNUR POLICE STATION (CRIME NO.1244 OF
2014) KANNUR DISTRICT-670 001.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.3903 of 2015

Dated this the 10th day of July 2015

ORDER

Petition filed under Sec.439 Cr.P.C.

2. Petitioners are accused nos.6,7 and 9 in Crime No.1244 of 2014 of the Payyannur Police station registered for the offences under Secs.143, 147, 148, 452, 341, 323, 324 and 308 read with Sec.149 of the Indian Penal Code and Sec.66A of the Information Technology Act. The prosecution case is that the petitioners along with the co-accused assaulted the victim with dangerous weapons. The victim sustained serious injuries including loss of hearing of one ear.

3. Heard both sides.

4. The petitioners have been in custody since 23.06.2015. One of the co-accused has already been granted bail after detention for about 19 days. The petitioners are also entitled to be released on bail.

In the result, the bail application is allowed.

1. The petitioners will be released on bail

on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2. They shall appear before the investigating officer between 10.30 a.m and 11.30 a.m. on every Thursday for six months, or till the final report is filed, whichever is earlier.

3. The petitioners shall surrender their passports before the lower court concerned or if they do not have the same, file affidavits to that effect.

4. The petitioners shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5. The petitioners shall not destroy or tamper with evidence.

6. The petitioners shall not intimidate or attempt to influence the witnesses.

7. The petitioners shall not get themselves involved in any other criminal case.

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

Sd/-
K.ABRAHAM MATHEW
JUDGE

/ True Copy/

NS

P.A. To Judge