

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

Bail Appl..No. 4253 of 2015 ()

CRIME NO. 402/2015 OF PERUMPADAPPU POLICE STATION, MALAPPURAM

PETITIONER(S) :

1. PRABHASH
AGED 41, S/O. KRISHNAN,
KALLOOR HOUSE, KANHIRAMUKKU P.O.
PONNANI TALUK, PIN - 679 584, MALAPPURAM DT.

2. PRASAD,
AGED 37 YEARS, S/O. KRISHNAN,
KALLOOR HOUSE, KANHIRAMUKKU P.O.
PONNANI TALUK, PIN - 679 584, MALAPPURAM DT.

BY ADV. SRI.P.C.CHACKO (PARATHANAM)

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

2. SUPERINTENDENT OF POLICE,
MALAPPURAM P.O., MALAPPURAM DT. - 676 505.

3. CIRCLE INPSECTOR OF POLICE,
PONNANI, PONNANI P.O., MALAPPURAM DT. - 679 583.

4. SUB INSPECTOR OF POLICE,
PERUMBADAPPU POLICE STATION, PERUMPADAPPU P.O.
MALAPPURAM DISTRICT- 679 580.

R1 TO R4 BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

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B.A.No. 4253 of 2015

Dated this the 22nd 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 143, 147, 324, 332 read with Section 149 of the Indian Penal Code, 1860. The prosecution allegation is that they along with the co-accused formed themselves into an unlawful assembly and assaulted Police Officers and prevented them from discharging their duties.

3. Heard.

4. The Police Officers sustained some minor injuries. Learned counsel submits that the first petitioner went to Police Station as he was booked for not wearing uniform, he being an autoriksha driver. The other accused went to the Police Station to get him released and they questioned Police Officers consuming alcohol at Police Station. Having regard to the fact that the Police Officers did not sustain any serious injuries, I am inclined to grant their prayer.

In the result, this application is allowed.

1) The petitioners shall 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 if they are arrested by the Police in connection with this case.

- 2) The petitioners shall surrender their passports before the lower court concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.*
- 3) They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 4) They shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every Wednesday for four months or till the final report is filed, whichever is earlier.*
- 5) They shall not intimidate or attempt to influence the witnesses.*
- 6) They shall not destroy or tamper with evidence.*
- 7) They shall not get themselves involved in any other criminal case while they are on bail.*

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

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

DST

//True copy//

P.A. To Judge