

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

Bail Appl..No. 4293 of 2015 ()

AGAINST THE ORDER IN CRMC 1387/2015 of THE SESSIONS
COURT,TRIVANDRUM DATED 26-06-2015
CRIME NO. 507/2015 OF PALLICKAL POLICE STATION , TRIVANDRUM DISTRICT

PETITIONER(S)/ACCUSED:

1. BINU, AGED 28 YEARS
S/O.GOPI, RESIDING AT KUNNATHU PANAYIL HOUSE,
PALLICHAL P O
VARKALA, TRIVANDRUM DISTRICT
2. GOPI, AGED 62 YEARS
S/O.CHANDRAN, RESIDING AT KUNNATHU PANAYIL HOUSE
PALLICHAL P O, VARKALA, TRIVANDRUM DISTRICT
3. BIJU, AGED 35 YEARS
S/O.GOPI, RESIDING AT KUNNATHU PANAYIL HOUSE,
PALLICHAL P O
VARKALA, TRIVANDRUM DISTRICT

BY ADVS.SRI.S.K.AJAY KUMAR
SRIK.C.SURESH
SMT.PRIYA. H.

RESPONDENT(S)/COMPLAINANT & STATE:

1. SUB INSPECTOR OF POLICE
PALLIKKAL POLICE STATION
TRIVANDRUM DISTRICT
2. STATE OF KERALA
REP BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM, 682031

BY PUBLIC PROSECUTOR SMT.REMA.R

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

dlk

K. ABRAHAM MATHEW, J.

B.A. No.4293 of 2015

Dated this the 23rd day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 249(b), 324, 354, 452 and 506 of the Indian Penal Code.

3. The prosecution case is that they trespassed into the victim's house, uttered obscene words, assaulted him and outraged the modesty of his wife. They also threatened the victim.

4. Heard.

5. It appears that there is a boundary dispute between the petitioners and the victim. The injuries sustained by the victim are minor in nature. It appears that their detention is not necessary for effective investigation.

In the result, this application is allowed.

1. The petitioners shall be released on bail after interrogation on their executing a bond for Rs.50,000/-

(Rupees Fifty 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 four months or till the final report is filed whichever is earlier.

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

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

5. They shall not destroy or tamper with evidence.

6. They shall surrender their passport before the lower court concerned of if they do not have one, they shall file an affidavit to that effect within five days of their release.

7. They shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

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