

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

Bail Appl..No. 4317 of 2015 ()

CRIME NO. 1451/2015 OF KOLLAM EAST POLICE STATION , KOLLAM DISTRICT

PETITIONER(S):

1. MANU, S/O. MURALI, AGED 19 YEARS,
PUTHUKKALAVAYALIL VEEDU,
UDAYAMARTHANDAPURAM CHERRY,
MUNDAKKAL VILLAGE.
2. KANNAN,S/O. SETHU, AGED 31 YEARS,
JAYANTHI COLONY, PERUMKULAM NAGAR,
PUNTHALHAZHAM CHERRY, VADAKKEVILA CHERRY,
VADAKKEVILA VILLAGE FROM COLLEGE NAGAR 86,
IRATTAKKULAM, UDAYAMARTHANDAPURAM CHERRY,
MUNDAKKAL VILLAGE.
3. SATHEESAN.S., S/O. STANLI, AGED 31 YEARS,
PURAYIDAM VEEDU, NETHAJI NAGAR 64,
MUNDAKKAL WEST CHERRY, MUNDAKKAL.

**BY ADVS.SRI.ARUN BABU
SRI.R.NIKHIL**

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI - 31.
2. SUB INSPECTOR OF POLICE,
KOLLAM EAST POLICE STATION.

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

B.A. No.4317 of 2015

Dated this the 29th day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 143, 147, 148, 452, 294(b), 323, 308 read with Section 149 of Indian Penal Code.

3. The prosecution case is that they along with the co-accused assaulted the victims with chairs causing them serious injuries.

4. Heard.

5. The weapons used are not sharp edged weapons. The facts indicate that the incident happened without any pre-meditation. The petitioners have been in custody since 04.07.2015. Their further detention is not necessary for completion of the investigation.

In the result, this application is allowed.

The petitioners will be released on bail on their 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 and 11.30 every alternate Thursdays for three months, or till the final report is filed, whichever is earlier.

3. They shall not threaten or attempt to influence the witnesses, nor shall they while on bail, get themselves involved in any criminal case; nor shall they destroy or attempt to destroy the evidence or interfere with the investigation.

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

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

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