

**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. 4333 of 2015 ()**

**CRIME NO. 544/2015 OF VALAPPAD POLICE STATION, TRISSUR DISTRICT**

**PETITIONERS/ACCUSED NOS. 1 TO 5:-:**

- 1. MIDHUN KUMAR @ MOTTA, AGED 20 YEARS,  
S/O.SHIBU, VALAVATH HOSUE, VALAPPAD BEACH,  
KODAMVALAVU, VALAPAD.**
- 2. VISHNU, AGED 20 YEARS,  
S/O.SUDHAKARAN, PATTALI HOUSE,  
VALAPAD MALAKHA VALAVU, VALAPAD.**
- 3. DHEERAJ, AGED 20 YEARS,  
S/O.SHAJI, MADATHIL HOUSE, VALAPAD BEACH  
VALAPAD.**
- 4. SHINOY, AGED 26 YEARS,  
S/O.MANOCHARAN, VALAVATH HOUSE, VALAPAD.**
- 5. PRAMEESHA, AGED 19 YEARS,  
S/O.SUNILKUMAR, PATTALI HOUSE, VALAPAD.**

**BY ADVS.SRI.RAAJESH S.SUBRAHMANIAN  
SRI.V.R.RAJESH**

**RESPONDENT/STATE:-:**

**STATE OF KERALA  
REPRESENTED BY ITS PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

**BY PUBLIC PROSECUTOR SMT.R. REMA**

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

**bp**

**K. ABRAHAM MATHEW, J.**

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**B.A.No. 4333 of 2015**

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Dated this the 23<sup>rd</sup> 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, 341, 323, 324, 326, 294(b), 307 read with Section 149 of the Indian Penal Code, 1860. The prosecution case is that on account of political enmity, they along with the co-accused armed with deadly weapons, formed themselves into an unlawful assembly and assaulted the victim with the weapons causing him serious injuries.

3. Heard.

4. The third petitioner has been in custody since 11.06.2015 and others since 22.06.2015. Learned Public Prosecutor submits that one of the accused is yet to be arrested. But, that alone cannot be a ground to deny bail to the petitioners. There has been much progress in the investigation. So, I am inclined to grant bail to the petitioners.

In the result, this application is allowed.

- 1)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)The petitioners 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.*
- 3)They 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.*
- 4)They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 5)They shall not intimidate or attempt to influence the witnesses, nor shall they get themselves involved in any other criminal case.*

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**

DST

//True copy//

P.A. To Judge