

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

Bail Appl..No. 4478 of 2015 ()

**CRIME NO. 516/2015 OF CHANDERA POLICE STATION,
KASARGOD DISTRICT**

PETITIONER/10TH ACCUSED :

**SHIYAS @ MUHAMMAD SHIHAS V.K., AGED 21 YEARS,
S/O.ABDUL KHADER, V.K.HOSE, P.O. PADANNA,
PADANNA VILLAGE, KASARAGOD DISTRICT.**

**BY ADVS.SRI.T.K.VIPINDAS
SRI.K.V.SREE VINAYAKAN
SRI.K.M.HASHIR
SRI.K.M.MUHAMMED HUSSAIN**

RESPONDENT/STATE :

**STATE OF KERALA
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM REPRESENTING S.H.O CHANDERA POLICE STATION,
KASARAGOD DISTRICT.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-08-2015 ALONG WITH BA NO. 4484/2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. Nos.4478 of 2015 & 4484 of 2015

Dated this the 6th day of August, 2015

COMMON ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are the accused in Crime No.516 of 2015 of Chandra Police Station, Kasaragod District. They are alleged to have committed the offences under Sections 143, 147, 148, 506(ii), 324 308 read with Section 149 of the Indian Penal Code.

3. The prosecution case is that they assaulted the victims, three in number, with iron rods and reapers causing injuries to them.

4. Heard.

5. The incident happened at 11.15 in the night. The petitioners were armed with weapons like iron rods and reapers. It is true that the three injured sustained only minor injuries. But it cannot be ignored that the first petitioner in Bail Application No.4484 of 2015 is involved in five other criminal cases and he is being proceeded against under Section 107 Cr.P.C, and petitioners 2, 7, 8 and 9 in

the said bail application are involved in another case. So I am not inclined to grant anticipatory bail to these petitioners. But having regard to the fact that the victims sustained only minor injuries, the other petitioners will be granted bail.

In the result, these applications are allowed in part.

1. Petitioners 3 to 6 in B.A.4484 of 2015 and the petitioner in Bail Application No.4478 of 2015 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 Thursday 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 passports 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.

The prayer of the other petitioners is rejected.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge