

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

Bail Appl.No. 4505 of 2015

CRIME NO. 580/2015 OF PANGODE POLICE STATION, THIRUVANANTHAPURAM

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PETITIONER(S)/A1 TO A4:

1. SOJI, AGED 24 YEARS,
S/O.SASIDHARAN, VS BHAVAN, KANCHINADA,
PULIKKARA PANGODU, THIRUVANANTHAPURAM.
2. SUBIN, AGED 22 YEARS,
S/O.SASIDHARAN, VS BHAVAN, KANCHINADA,
PULIKKARA PANGODU, THIRUVANANTHAPURAM.
3. NITISH BABU, AGED 24 YEARS,
S/O.BABY, HOUSE NO.48, 12/98,
DHANYA BHAVAN, PALUVALLY, PANGODE,
THIRUVANANTHAPURAM.
4. SAJI LAL, AGED 24 YEARS,
S/O.SOMRAJAN, VAZHASSERI CHARUVILA PUTHEN VEEDU,
KANCHI NADA, PANGODE, THIRUVANANTHAPURAM.

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
BREJITHA UNNIKRISHNAN**

RESPONDENT(S):

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

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
03-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.4505 of 2015

Dated this the 3rd day of August 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.580 of 2015 of Pangode Police station registered for the offences under Secs.353 read with Sec.34 of the Indian Penal Code and Sec.3(2)(e) of the Prevention of Damage to Public Property Act. The prosecution case is that they prevented the first informant who was working as a Police Constable from discharging his duties when he went for a passport verification. It is further alleged that they caused damage to the first informant's motorcycle.

3. Heard both sides.

4. Learned counsel submits that the allegations are false and the incident happened when the first informant entered into a temple wearing shoes which was objected by the petitioners.

5. The Police Constable did not sustain any injuries. It appears that detention of the petitioners is not

necessary for effective investigation. So I am inclined to grant the prayer of the petitioners.

1) The petitioners shall be released on bail after interrogation 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 appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every alternate Wednesdays for four months or till the final report is filed, whichever is earlier.

3) Each of the petitioners shall deposit Rs.750/- (Rupees seven hundred and fifty only) in the trial court within seven days.

4) The petitioners shall surrender their passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

4) The petitioners shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioners shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.

6) The petitioners shall not intimidate or attempt to influence the witnesses.

7) The petitioners shall co-operate with investigation of the case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

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

K. ABRAHAM MATHEW
JUDGE