

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

Bail Appl..No. 4592 of 2015 ()

CRIME NO. 1033/2015 OF PALAKKAD TOWN NORTH POLICE STATION.

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PETITIONERS/ACCUSED NOS.1, 2, 3 & 5:

- 1. ABHILASH, S/O.RAJAN, AGED 19 YEARS,
KEEZHUMURI HOUSE, KARTHIKA,
KONGAD (P.O), PALAKKAD DISTRICT.**
- 2. AJITH, S/O.ARUMUGHAN,
AGED 20 YEARS, KRISHNANJANA,
VIVEKANANDA COLONY, KUNNATHURMEDU,
PALAKKAD.**
- 3. VISHNU SIVAN, S/O.SIVAMANI,
AGED 20 YEARS, GOVT. WELFARE COLONY,
KELLEKULANGARA (P.O), PALAKKAD.**
- 4. MUHAMMED ROSHAN SHUKKOOR,
AGED 19 YEARS, S/O.MUHAMMEDKUTTY,
KANCHIRMACHOLA HOUSE, KARIMBA,
PALAKKAD DISTRICT, PIN - 678 597.**

BY ADV. SRI.K.RAVI (PARIYARATH).

RESPONDENT/STATE OF KERALA:

**THE STATE OF KERALA,
REP. BY THE SUB INSPECTOR OF POLICE,
PALAKKAD, TOWN NORTH POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

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B.A.No. 4592 of 2015

Dated this the 4th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are said to have committed the offences under Sections 143, 147, 148, 341, 323, 324, 308 read with Section 149 of the Indian Penal Code. The prosecution case is that they along with the first accused wrongfully restrained the victim and assaulted him with a cycle chain.

3. Heard.

4. The petitioners are students. The police have registered a counter case also. Going by the First Information Statement only the first accused was armed with a weapon and he only used it. There is no allegation that the petitioners were armed with any weapon or they used any weapon. The first accused has already been arrested. Having regard to these facts, I am inclined to grant the prayer of the petitioners.

In the result, this application is allowed.

- 1) The petitioners shall be released on bail 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) One of the sureties shall be one of their parents.*
- 3) The petitioners 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 appear before the Investigating Officer between 10 a.m. and 11 a.m. every alternate Thursday except on examination dates for three months or till the final report is filed, whichever is earlier.*
- 6) They shall not intimidate or attempt to influence the witnesses.*
- 7) They shall not destroy or tamper with evidence.*
- 8) They shall not get themselves involved in any other criminal case while they are on bail.*

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

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

accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge