IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

Bail Appl..No. 4666 of 2015 ()

CRIME NO. 1042/2005 OF NEYYATTINKARA POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT

PETITIONER(S)/ACCUSED 1 TO 4:

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1. **RATHEESH, S/O.SURENDRAN, AGED 32 YEARS,**
   'VRINDAVAN', KURUTHAMKUDI,VENPAKAL,
   ATHIYANNOOR VILLAGE, NEYYATTINKARA TALUK.

2. **REJI, S/O.SURENDRAN,AGED 30 YEARS,**
   'VRINDAVAN', KURUTHAMKUDI,VENPAKAL,
   ATHIYANNOOR VILLAGE, NEYYATTINKARA TALUK.

3. **LALU,S/O.LEKSHMANAN NADAR, AGED 38 YEARS,**
   KOYIKKAL KUZHI, PANNARA VILAKATHU PUTHEN VEEDU.

4. **SURENDRAN,S/O.PONNU NADAR, AGED 52 YEARS,**
   'VRINDAVAN', KURUTHAMKUDI,
   VENPAKAL, ATHIYANNOOR VILLAGE.

BY ADV. SRI.G.SUDHEER

RESPONDENT/COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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K. ABRAHAM MATHEW, J.

B.A. No.4666 of 2015

Dated this the 17th day of August 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.1042 of 2005 of Neyyattinkara Police station registered for the offences under Secs.143, 147, 149, 323, 324, 452 and 506 (ii) of the Indian Penal Code. The prosecution case is that they trespassed into the victim's house, threatened him and others and assaulted him with a knife.

3. Heard both sides.

4. The victim sustained a minor injury. It appears that there was a dispute between the parties concerned for putting up a fence. A counter case has been registered by the Police. The knife has been recovered.

Having regard to all these facts, I am inclined to grant the prayer of the petitioners.

In the result the bail application is allowed.

1)The petitioners shall 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 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 Wednesday for three months or till the final report is filed, whichever is earlier..

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

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.

6) They shall not destroy or tamper with

evidence nor shall they get themselves involved in any other criminal case.

7) They 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.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/True copy /

NS P.A. To Judge