

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

Bail Appl..No. 4777 of 2015

CRIME NO. 656/2015 OF THADIYITTAPARAMB POLICE STATION , ERNAKULAM

PETITIONER(S)/ACCUSED:

1. **A.M.ABBAS, AGED 33 YEARS,
S/O. MAIDEEN, ARIMBASSERY, SOUTH VAZHAKKULAM P.O.,
SOUTH EZHIPURAM, ALUVA.**
2. **A.M.MUHAMMED KUNJU, AGED 46 YEARS,
S/O. MAIDEEN, ARIMBASSERY, SOUTH VAZHAKKULAM P.O.,
SOUTH EZHIPURAM, ALUVA.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/STATE:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM - 682 031.
(CRIME NO. 656/2015 OF THADITTAPPARAMB POLICE STATION,
ERNAKULAM DISTRICT).**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 4777 of 2015

Dated this the 19th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No. 656 of 2015 of Thadittapparamb Police Station. Petitioners apprehend that they will be arrested by the police on the allegation that they have committed the offences under Sections 332, 294(b), 323, 324, 506(ii) read with Section 34 of the Indian Penal Code.

3. The prosecution case is that they uttered obscene words, threatened and assaulted police personnel who went to the place of occurrence in the course of an investigation into a case and thus they prevented them from discharging their official duties.

4. Heard.

5. It is not in dispute now that the police officers were not in uniform. For this reason alone, I am inclined to grant anticipatory bail to the petitioners.

In the result, this 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) 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.*
- 3) They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 4) They shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every Wednesday for two months or till the final report is filed, whichever is earlier.*
- 5) They shall not intimidate or attempt to influence the witnesses.*
- 6) They shall not destroy or tamper with evidence.*
- 7) 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