

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 1ST DAY OF SEPTEMBER 2015/10TH BHADRA, 1937

Bail Appl..No. 5015 of 2015

**CRIME NO. 261/2007 OF CHERPULASSERY POLICE STATION,
PALAKKAD DISTRICT**

PETITIONER(S)/ACCUSED 17 AND 18 :

- 1. SURESH, AGED 45 YEARS,
S/O.SUBRAN, MUPLIYAN VEEDU, KAVANAD,
VATEKKAD, KODAKARA, THRISSUR DISTRICT.**
- 2. T.A.BABU, AGED 48 YEARS,
S/O.AYYAPPAKUTTY, THRIPPANATH HOSUE, KANAKAMALA P.O.,
KODAKARA VILLAGE, THRISSUR DISTRICT.**

BY ADV. SRI.P.K.ANIL

RESPONDENT(S)/COMPLAINANT/STATE :

- 1. THE SUB INSPECTOR OF POLICE,
CHERPULASSERY POLICE STATION-679 509.**
- 2. THE DEPUTY SUPERINTENDENT OF POLICE,
SHORNUR POLICE STATION-679 121.**
- 3. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 01-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A. HARIPRASAD, J.

Bail Appl. No.5015 of 2015

Dated this the 1st day of September 2015

ORDER

Petition filed under Sec.439 Cr.P.C.

2. Petitioners are accused nos.17 and 18 in Crime No.261 of 2007 of Cherpulassery Police station registered for the offences under Secs.120(b), 201, 364 and 395 of the Indian Penal Code. The prosecution case is that on 15.07.2007 at 7.30 a.m., while the defacto complainant was travelling in a bus, he was restrained by the accused persons in furtherance of their common intention and abducted the defacto complainant.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. According to the prosecution, these accused also participated in the crime and they were physically present at the time when the incident took place.

5. The petitioners plead innocence. Learned counsel for the petitioners submitted that the prime accused in this case has been released on bail by the

Sessions Court, Palakkad. What is remaining in this case is the recovery of articles said to have been robbed.

Considering the stage of investigation and also the fact that the petitioners have been in custody since 09.07.2015 and 10.07.2015 respectively, bail is granted to them with the following strict conditions.

i. 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 to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. The learned Magistrate need not insist on solvency certificate but there must be sufficient documents to reveal the identity and solvency of the sureties.

iv. The petitioners shall appear before the Investigating Officer between 10.00 a.m. and

11.00 a.m. on every Sunday until final report is filed.

v. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

vi. The petitioners shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

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P.A. To Judge