

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

Bail Appl..No. 5128 of 2015 ()

CRIME NO. 531/2015 OF PARIYARAM POLICE STATION,KANNUR DISTRICT

PETITIONER/9TH ACCUSED:

**UNAI S P., S/O. MUSTHAFA,AGED 26 YEARS,
PUNNAKKAN HOUSE, IRINGAL,
THIRUVATTOOR, TALIPARAMBA, KANNUR.**

**BY ADVS.SRI.SUNIL NAIR PALAKKAT
SRI.K.N.ABHILASH**

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. THE STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031**
- 2. THE STATION HOUSE OFFICER,
PARIYARAM POLICE STATION,
KANNUR DISTRICT- 670 502**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A No.5128 of 2015

Dated this the 2nd day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the 9th accused in crime No.531/2015 of Pariyaram Police Station registered for offences punishable under Sections 143, 147, 148, 307, 333, 342 and 379 r/w Section 149 I.P.C and Section 20 of the Protection of River Banks and Regulation of Removal of Sand Act, 2001.

3. Prosecution case is that the petitioner along with other accused persons were engaged in illicit sand mining. They were found indulging in the illegal activity on 16-05-2015. Police officer intercepted the vehicle. At that time, the accused persons as members of unlawful assembly attacked the police officer causing serious injuries to him.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. The petitioner was arrested on 23-07-2015. In so far as the petitioner is concerned the investigation has advanced to a

considerable extent. Considering the stage of investigation and the nature of offence, I find that bail can be granted to the petitioner with following conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned trial Judge need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

**A.HARIPRASAD,
JUDGE.**