

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

Bail Appl..No. 5142 of 2015 ()

AGAINST THE ORDER IN CRMP 3815/2015 of DISTRICT AND SESSIONS COURT,
ALAPPUZHA DATED 11-08-2015.

CRIME NO. 717/2015 OF KUTHIYATHODE POLICE STATION , ALAPPUZHA.

PETITIONER(S)/ACCUSED:

1. PRAVEEN (A1), AGED 25 YEARS,
PUNNACKAL, PALLITHODU P.O., CHERTHALA.
2. NELSON (A2), AGED 26 YEARS,
PUNNACKAL, PALLITHODU P.O., CHERTHALA.
3. JOSEPH @ TONAN (A3),
KATTIKADU HOUSE, PALLITHODU P.O., CHERTHALA.

BY ADV. SRI.VISHNURAJ.

RESPONDENT(S) :

STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
04-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

amk

A.HARIPRASAD, J.

B.A No.5142 of 2015

Dated this the 4th day of September, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioners are the accused persons in Crime No.717 of 2015 of Pattanakkadu Police Station registered for offences punishable under Sections 341, 332 r/w Section 34 I.P.C and Section 3(1) of PDPP Act.

3. Prosecution case, in short, is that on 05-07-2015 at about 2.55 p.m., the petitioners with an intention to cause damages to a KSRTC bus and to physically assault the driver, intercepted the vehicle and after assaulting the driver, destroyed the windshield of the bus. It is the allegation that damages to a tune of Rs.32,500/- was suffered by the KSRTC. Considering the nature of allegations following directions are issued :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. Thereafter, he shall be produced before the learned Magistrate having jurisdiction on the same day. In that

event, the petitioner shall be released on bail on executing a bond for Rs.25,000/- (Rupees twenty five 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 solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall deposit Rs.32,500/- (Rupees thirty two thousand five hundred only) before the learned Magistrate at the time of execution of bond.
4. The petitioner shall appear before the Investigating Officer as and when directed.
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 violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.