

**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. 5194 of 2015 ()**

**CRIME NO. 1458/2015 OF KUNNAMKULAM POLICE STATION, THRISSUR DISTRICT**

**APPLICANTS/ACCUSED NOS.1 TO 13 :**

1. SUDHEESH, AGED 26 YEARS,  
S/O.SUBRAMANIAN, KANNADIVALAPPIL HOUSE,  
PERUMBILAVU VILLAGE, PERUMBILAVU.P.O., THRISSUR.
2. SUBEESH, AGED 28 YEARS, S/O.SUBRAMANIAN,  
KANNADIVALAPPIL HOUSE, PERUMBILAVU VILLAGE,  
PERUMBILAVU.P.O., THRISSUR.
3. SANEESH, AGED 24 YEARS, S/O.SUBRAMANIAN,  
KANNADIVALAPPIL HOUSE, PERUMBILAVU VILLAGE,  
PERUMBILAVU.P.O., THRISSUR.
4. NAZEER, AGED 34 YEARS, VAVVAKOTTIL HOUSE,  
PERUMBILAVU VILLAGE, PERUMBILAVU.P.O., THRISSUR.
5. DEEPESH, AGED 26 YEARS, S/O. BALAKRISHNAN,  
THAYARUVEETIL HOUSE, THIPPALASSERRY.P.O.,  
PERUMBILAVU VILLAGE, THRISSUR.
6. SAJEEV, AGED 31 YEARS, S/O.VISWANATHAN,  
ERAVALLY HOUSE, THIPPALASSERRY.P.O.,  
PERUMBILAVU VILLAGE, THRISSUR.
7. MANIKANDAN, AGED 40 YEARS, S/O.GOPINATHAN,  
PADIKKILNJALIL HOUSE, THIPPALASSERRY.P.O.,  
PERUMBILAVU VILLAGE, THRISSUR.
8. ADARSH, AGED 19 YEARS, S/O.SANKARANKUTTY,  
THAYYATTIRI HOUSE, THIPPALASSERRY.P.O.,  
PERUMBILAVU VILLAGE, THRISSUR.
9. NIKHIL, AGED 20 YEARS, S/O.BALACHANDRAN,  
THACHATTIRI HOUSE, THIPPALASSERRY.P.O.,  
PERUMBILAVU VILLAGE, THRISSUR
10. AKASH, AGED 20 YEARS, S/O.RAJAN, MELUVEETIL HOUSE,  
THIPPALASSERRY.P.O., PERUMBILAVU VILLAGE, THRISSUR

**BA.NO.5194/2015**

11. AJI, AGED 20 YEARS, S/O.APPUNNI,  
THERANGIL HOUSE, THIPPALASSERRY.P.O.,  
PERUMBILAVU VILLAGE, THRISSUR
12. SANATH, AGED 21 YEARS, S/O.SANKARAN,  
THERANDIYIL HOUSE, THIPPALASSERRY.P.O.,  
PERUMBILAVU VILLAGE, THRISSUR
13. SAHAL, AGED 19 YEARS, S/O.MAJEED,  
POKKAKKILLATH HOUSE, PERUMBILAVU VILLAGE,  
THRISSUR.

BY SRI.P.VIJAYA BHANU,SENIOR ADVOCATE  
ADVS. SRI.V.C.SARATH  
SRI.THOMAS J.ANAKKALLUNKAL

**RESPONDENT/COMPLAINANT :**

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

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:

**sts**

**A.HARIPRASAD, J.**

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**B.A. No.5194 of 2015**  
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**Dated this the 4<sup>th</sup> day of September, 2015**

**ORDER**

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused 1 to 13 in Crime No.1458 of 2015 of Kunnankulam Police Station registered under Sections 143, 147, 148, 341, 323, 324 and 308 read with Section 149 of the Indian Penal Code. Prosecution case, in brief, is that on 02.08.2015 at about 7.15 p.m., the petitioners formed themselves into unlawful assembly and armed with iron rod and stones, assaulted the local president of a political party unit. It is the allegation that the first accused hit the defacto complainant on head with an iron rod. Other accused persons used stones to attack the procession.

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

4. Considering the nature of allegations against the first accused, I am not inclined to grant anticipatory bail to him. In respect of other accused persons, the following order is passed.

i. Petitioners 2 to 13/accused 2 to 13 shall appear before the investigating officer within a period of two weeks and submit

themselves for interrogation. Thereafter each one of them shall execute a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer. In that event, they shall be released on bail in Crime No.1458 of 2015 of Kunnamkulam Police Station.

ii. Petitioners 2 to 13 shall appear before the Investigating Officer as and when directed for the purpose of investigation in the matter.

iii. They shall not influence or intimidate the witnesses.

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

**A. HARIPRASAD, JUDGE.**

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