

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 23RD DAY OF SEPTEMBER 2015/1ST ASWINA, 1937

Bail Appl..No. 5268 of 2015 ()

CRIME NO. 817/2015 OF ENATHU POLICE STATION, PATHANAMTHITTA DISTRICT.

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PETITIONER/ACCUSED A1 TO A3:

- 1. RAJEEVE, AGED 46 YEARS,
S/O.BRAHMMAVRETHAN, RAJEEVAM,
THUVAYOOR SOUTH MURI, KADAMBANADU VILLAGE,
ADOOR TALUK, PATHANAMTHITTA DISTRICT.**
- 2. ANEESH KUMAR, AGED 36 YEARS,
S/O.RAJAN, RAJESH BHAVANAM, ANTHICHIRA MURI,
THUVAYOOR NORTH MURI, ERATHU VILLAGE,
ADOOR TALUK, PATHANAMTHITTA DISTRICT.**
- 3. RATHEESH, AGED 33 YEARS,
S/O.SURENDRAN, PONNALAYAM VEEDU,
NELIMUGAL MALANKAVU, KADAMBANADU NORTH MURI,
KADAMBANADU, ADOOR TALUK,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.AJITH MURALI.

RESPONDENT/COMPLAINANT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A No.5268 of 2015

Dated this the 23rd day of September, 2015.

ORDER

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

2. Petitioners are accused Nos. 1 to 3 in Crime No.817/2015 of Enathu Police Station registered for offences punishable under Sections 143, 147, 148, 294(b), 341, 332, 324, 307 and 201 r/w Section 149 I.P.C.

3. Prosecution case, in short, is that on 11-06-2015 at about 11.45 hours in the night, due to previous enmity to the defacto complainant's husband, the accused formed themselves into an unlawful assembly trespassed into the house of the defacto complainant, abused her and destroyed the house by using an iron rod. They caused damage to the fixtures in the house and the vehicles parked outside their house.

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

5. The petitioners were arrested on 08-07-2015. The first accused is said have involved in six other Abkari cases. Considering the stage of investigation and the antecedents of the accused, I find that bail can be granted to the petitioners with following strict conditions :

1. The petitioners shall be released on bail on executing a bond for Rs.50,000/- each (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 Magistrate 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 petitioners 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 petitioners shall not indulge in any offence while on bail.
5. The petitioners 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 petitioners, the learned Magistrate is free to cancel bail without referring the matter to this Court.

amk

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge