

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

Bail Appl..No. 5305 of 2015 ()

**CRIME NO. 1227/2015 OF PALAKKAD TOWN SOUTH POLICE STATION,
PALAKKAD DISTRICT**

PETITIONERS/ACCUSED NOS.1 & 2 :

- 1. CHANDU @ SANTHOSH, AGED 20 YEARS,
S/O.BALAN, KAZHAKUNNAM HOUSE, THIRUVALATHUR P.O.,
KODUMBU VILLAGE, PALAKKAD DISTRICT.**
- 2. SUJITH, AGED 20 YEARS
S/O.SELVAN, ATTINGAL HOUSE, THIRUVALATHUR PO
KODUMBU VILLAGE, PALAKKAD DISTRICT.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A No.5305 of 2015

Dated this the 28th day of September, 2015.

ORDER

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

2. Petitioners are accused Nos.1 & 2 in Crime No.1227 of 2015 of Town South Police Station registered for offences punishable under Sections 341, 324 and 326 r/w Section 34 I.P.C.

3. Prosecution case, in short, is that the first petitioner struck on the defacto complainant's right shoulder with a wooden stick resulting in injury and the second petitioner slapped on the face of the defacto complainant.

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

5. Learned counsel for the petitioners submitted that the petitioners are students and they are not involved in any offences so far. Further, the petitioners and the defacto complainant are friends. At the time of incident, they were travelling on a same motorbike. Petitioners contend that the defacto complainant sustained injuries on account of a fall from the motorbike.

6. Learned Public Prosecutor opposed the bail application.

Considering the facts and circumstances, following directions are made :

1. Petitioners shall surrender before the investigating officer within a period of one week from today and submit themselves for interrogation. In that event, they shall be released on bail on executing a bond for Rs.25,000/- each (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
2. One of the sureties shall be either parents or siblings or close relatives of the petitioners. The sureties shall produce documents to establish their identity and solvency.
3. Petitioners shall appear before the Investigating Officer as and when directed in writing and co-operate with the investigation in the matter.
4. Petitioners shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioners, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-

**A.HARIPRASAD,
JUDGE.**

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