

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

Bail Appl.No. 5330 of 2015

CRIME NO. 272/2015 OF THALAPUZHA POLICE STATION, WAYANADU
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PETITIONER(S)/ACCUSED:

1. SARATH K.JOHN, AGED 22 YEARS,
S/O.JOHN, KARAKKAD HOUSE, KUTTIMOOLA,
KANIYARAM, MANANTHAVADY TALUK.
2. VYSAKH P.S., AGED 23 YEARS,
S/O.SREENIVASAN, PLAKATU HOUSE,
KUTTIMOOLA, KANIYARAM, MANANTHAVADY TALUK
3. MIDHUN C.M., AGED 25 YEARS,
S/O.MUTHU, CHUNGATHIL HOUSE, KUTTIMOOLA,
KANIYARAM, MANANTHAVADY TALUK.
4. NOUSHAD T.C., AGED 22 YEARS,
S/O.ABOOBACKER, THACHAYIL HOUSE, ERUMATHERUVU,
MANANTHAVADY AMSOM, WAYANADU DISTRICT.
5. FRANCIS K.M., AGED 25 YEARS,
S/O.MATHYAS, KOLLIKKUNNEL HOUSE, KAPPATTUMALA,
PERIYA VILLAGE, WAYANADU DISTRICT.
6. ARJUN GOPAL, AGED 19 YEARS,
S/O.GOPAL, SREELAKAM HOUSE, EMILY,
KALPETTA.
7. HARIKRISHNA K.J., AGED 20 YEARS,
S/O.JAYAKRISHNA, KARIKKULATHIL HOUSE, NOOLPUZHA,
KALOOR, KUPPADI VILLAGE.
8. MUHAMMED SHAFI, AGED 22 YEARS,
S/O.YOOSAF, CHENANGODAN HOUSE, MARAPPAMOOLA,
PULPALLY.

BY ADVS.SRI.K.S.ARUN KUMAR
SMT.M.N.MAYA
SMT.RESMI THOMAS

msv/

Bail Appl.No. 5330 of 2015

RESPONDENT(S)/COMPLAINANT:

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
08-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

msv/

A.HARIPRASAD, J.

B.A No.5330 of 2015

Dated this the 8th day of September, 2015.

ORDER

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

2. Petitioners are accused Nos. 1 to 8 in crime No.272/2015 of Thalappuzha Police Station registered for offences punishable under Sections 143, 147, 148, 341, 324 and 307 I.P.C.

3. Prosecution case, in short, is that on 30-07-2015 at about 22.00 hours, the accused persons formed themselves into an unlawful assembly armed with deadly weapons and attacked the defacto complainant with an iron rod. He sustained serious injuries. The attack unleashed was on political rivalry.

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

5. Learned counsel for the petitioners submitted that the accused persons are in custody for nearly a month. Learned Public Prosecutor submitted that investigation has advanced to a

considerable extent. Considering the entire facts and circumstances of the case, I find that bail can be granted to the petitioners with following 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 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 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 petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE