

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

Bail Appl..No. 5356 of 2015 ()

**CRIME NO. 491/2015 OF MALAYINKEEZHU POLICE STATION,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/ACCUSED:

- 1. TONY, AGED 25 YEARS,
S/O.THOMAS, TONY BHAVAN, POTTAYIL,
VILAVOORKAL VILLAGE, THIRUVANANTHAPURAM.**
- 2. ARUN PRASAD, AGED 23 YEARS,
S/O.GENESAN, ARUN BHAVAN, KARUVILANCHIKUZH,
PEYAD P.O., THIRUVANANTHAPURAM.**
- 3. VINEETH, AGED 21 YEARS,
S/O.PONMANI, (VINEETH BHAVAN),
KIZHAKKUMKARA PUTHENVEEDU, VILAPPISALA,
THIRUVANANTHAPURAM.**

**BY ADVS.SMT.M.SANTHI
SRI.G.RANJU MOHAN**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

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

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A.HARIPRASAD, J.

B.A. No.5356 of 2015

Dated this the 9th day of September, 2015

ORDER

Petitioners are accused 8, 10 and 11 in Crime No.491 of 2015 of Malayinkeezhu Police Station registered for offences punishable under Sections 143, 147, 149, 342, 365, 323 and 506(i) of the Indian Penal Code.

2. Prosecution alleged that the defacto complainant stacked wife of the first accused over phone and made indecent utterances. In retaliation of that incident, the first accused kidnapped the defacto complainant in a car on 07.06.2015 while he was walking through a road. He was intimidated with dire consequences. Petitioners are also accomplices of first accused is the contention.

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

4. Learned Public Prosecutor submitted that there are a number of crimes registered against the eighth accused and there is no previous allegation against accused 10 and 11.

Considering the nature of allegations, I am of the view that the petitioners are not entitled to get anticipatory bail. They shall surrender before the Investigating Officer within two weeks from today and submit

themselves for interrogation. The Investigating Officer shall produce them before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioners are free to move for regular bail before the learned Magistrate. In that event, the learned Magistrate shall consider the application as expeditiously as possible on merits.

The application is disposed of.

A. HARIPRASAD, JUDGE.

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