

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

Bail Appl..No. 5392 of 2015

CRIME NO. 1599/2014 OF ERNAKULAM SOUTH POLICE STATION, ERNAKULAM

PETITIONER(S)/ACCUSED NO 4:

**ANOOP MATHEW GEORGE, AGED 32 YEARS,
S/O.GEORGE, KUZHUPARAMBIL VEEDU, KUMBALAMPOIKA,
VADASSERIKKARA, RANNI, PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.C.K.SAJEEV
SRI.VINCENT JOSEPH**

RESPONDENT(S)/STATE :

**STATE OF KERALA,
REPRESENTED BY PROSPECTUR, HIGH COURT OF KERALA,
ERNAKULAM, PIN 682 031.**

BY PUBLIC PROSECUTOR SRI.C.A.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.5392 of 2015

Dated this the 13th day of November 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 4th accused in Crime No.1599 of 2015 of Ernakulam Town South Police station registered for the offences punishable under Secs.143, 144, 147, 148, 427, 448, 506(ii), 120, 120(b) along with Sec.10(a)(1), 13(1)(a), 13(2) and 39 of the Unlawful Activities (Prevention) Act. Prosecution case is that, the petitioner is member of a banned organisation by name CPI (Maoist), which is engaged in waging war against the Government of India. With an intention to destroy the office of Nita Gelatine company, Panampilly Nagar, the petitioner and others as members of an unlawful assembly armed with iron rods etc. threatened the security staff and others on 11.10.2015 at about 7.50 hours and trespassed into the office and damaged the computer, office items and and other fixtures causing extensive loss.

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

4. Learned Learned Public Prosecutor opposed the bail application contending that the petitioner is involved in six other crimes of a similar nature. The 1st and 2nd accused were enlarged on bail in this case by the Sessions Judge.

Considering the nature of allegations and the fact that the petitioner remains in custody from 22.06.2015, bail is granted to him with the following conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish

their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. untill final report is filed.

v. The petitioner shall surrender his passport before the lower court concerned or if he does not have the same, file an affidavit to that effect.

vi. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vii. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above

Bail Appl. No.5392 of 2015 4

conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/13/11/2015

P.A. To Judge