

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

Bail Appl..No. 5406 of 2015 ()

CRIME NO. 780/2015 OF ERUMAPETTY POLICE STATION

PETITIONERS/(ACCUSED) :

1. **SHERESHAD**
AGED 21 YEARS, S/O.KUNHAHAMMED,
PUTHIYEDATH HOUSE, KIZHAKKUMURI P.O.
KOZHICODE.
2. **AKSHAY CHANDRAN**
AGED 21 YEARS, S/O.CHANDRAN,
KALLURAVI HOUSE, KANHANGAD SOUTH P.O.
KASARAGODE.
3. **SAFA SAJEER ALI**
AGED 21 YEARS, S/O.ALI,
PALLIYALITHODI, CHAPPANANGADI P.O.
KOTTAKKAL.
4. **FAJAR P.O.,**
AGED 21 YEARS, S/O.ABDUL SHUKKOOR,
PULINCHUVATTIL HOUSE, PACHATTIRI P.O.,
VETTOM, MALAPPURAM.

BY ADV. SRI.T.M.ABDUL LATIFF

RESPONDENTS/(STATE AND COMPLAINANT) :

1. **STATE OF KERALA**
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.
2. **SUB INSPECTOR OF POLICE**
ERUMAPPETTI POLICE STATION,
ERUMAPPETTI-680584.

R1 & R2 BY PUBLIC PROSECUTOR SRI. C. RASHEED

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

A.HARIPRASAD, J.

B.A No.5406 of 2015

Dated this the 7th day of September, 2015.

ORDER

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

2. Petitioners are the accused persons in Crime No.780/2015 of Erumapetty Police Station registered for offences punishable under Sections 143, 147, 148, 447, 341, 323, 452, 506(1), 427 and 149 I.P.C.

3. Prosecution case, in short, is that the accused persons, who are students of Royal Engineering College, Kunnankulam committed rioting in the college on 21-08-2015 causing extensive damage to the fittings and fixtures of the college.

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

5. Learned counsel for the petitioners submitted that the students were chased by police and they fled from the scene.

Learned counsel further submitted that the petitioners are totally innocent for all the allegations.

6. Learned Public Prosecutor opposed the bail application contending that the petitioners along with other accused caused extensive damage to the college and implements therein. Loss estimated is Rs.10.25 lakhs. Considering the nature of allegations, following directions are made :

1. Petitioners shall surrender before the investigating officer within a period of two weeks from today and submit themselves for interrogation. In that event, the petitioners shall be released on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum each 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. The petitioners shall deposit a sum of Rs.50,000/- (Rupees fifty thousand only) each as security before the learned Magistrate having jurisdiction within a period of two weeks from today.
3. The petitioners shall appear before the

Investigating Officer as and when directed for the purpose of investigation.

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 violated by the petitioners, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge

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