

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

Bail Appl..No. 5432 of 2015

CRIME NO. 508/2015 OF MANKARA POLICE STATION , PALAKKAD DISTRICT

PETITIONER(S)/ACCUSED NOS. 4, 6 & 8 :

- 1. AZEEZ, AGED 45 YEARS,
S/O.MOHAMMED, MANPPULLY PARAMBIL HOUSE, KIZHEKKUMURI,
KODUNTHIRAPPULLY P.O, PIRAYIRI,
PALAKKAD TALUK AND DISTRICT.**
- 2. ABDUL KHADER, AGED 40 YEARS,
S/O.MOHAMMED, MANPPULLY PARAMBIL HOUSE, KIZHEKKUMURI,
KODUNTHIRAPPULLY P.O, PIRAYIRI,
PALAKKAD TALUK AND DISTRICT.**
- 3. SHAMSUDHEEN, AGED 40 YEARS,
S/O.MOHAMMED, MANPPULLY PARAMBIL HOUSE, KIZHEKKUMURI,
KODUNTHIRAPPULLY P.O, PIRAYIRI,
PALAKKAD TALUK AND DISTRICT.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/COMPLAINANT :

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

BY SR.PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD,J.

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B.A.No.5432 of 2015

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Dated this the 22nd day of September, 2015

O R D E R

Application for bail under Section 439 of Cr.p.C.

2. The petitioners are accused Nos.4,6 and 8 in Crime No.508/2015 of Mankara Police Station, Palakkad District, registered for offences punishable under Sections 143, 147, 148, 341, 324, 307 r/w 149 of the Indian Penal Code. The prosecution alleged that on 14-08-2015 at about 11.30 P.M, the petitioners along with other accused formed themselves into an unlawful assembly, armed with deadly weapons and assaulted the de facto complainant causing injuries.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor. It is also submitted that a counter case has also been registered in connection with the incident.

4. The learned counsel for the petitioners submitted that they did not use any weapon in the incident and they are totally innocent of the allegations.

5. They were arrested on 16-08-2015 and 17-08-2015 and the investigation has progressed to a considerable extent. Bail is granted to the petitioners with the following conditions:

i. The petitioners shall be released on bail on each one of them executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. The petitioner shall appear before the Investigating Officer on all Sundays between 10.00 and 11.00 A.M until final report is filed.

iv. The petitioner shall not indulge in any offence while on bail.

v. The petitioner 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

AVS