

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

Bail Appl..No. 5549 of 2015

CRIME NO. 798/2015 OF HOSDURG POLICE STATION , KASARGOD

PETITIONER(S)/ACCUSED NO. 1 & 2:

1. SANU T.K., AGED 20 YEARS,
S/O BALAKRISHNAN, THEKKE VEEDU, KOLAVAYAL,
AJANUR GRAMAM, KASARAGOD.
2. VIGNESH K.V,
S/O. CHANDRAN @ CHANDRAN, AMANTHIKA, KOLAVAYAL,
POLLAKKARA ROAD, AJANUR GRAMAM, KASARAGOD.

BY ADVS.SRI.P.S.SREEDHARAN PILLAI
SRI.ARJUN SREEDHAR

RESPONDENT(S)/COMPLAINANT & STATE:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-31.

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PJ

A.HARIPRASAD, J.

B.A.No.5549 of 2015

Dated this the 17th day of September, 2015

O R D E R

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioners are the accused in Crime No.798 of 2015 of Hosdurg Police Station registered for the offences punishable under Sections 143, 147, 148, 294(b), 324 and 307 r/w Section 149 of the Indian Penal Code.

3. Prosecution case is that on 30.08.2015 at about 05.30 hours, accused 1 to 4 and 20 others formed themselves into an unlawful assembly and committed rioting with deadly weapons. The accused caused a stab injury on the *de facto* complainant and they beat him with stick.

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

5. Learned Public Prosecutor submitted that there are serious allegations against the accused persons.

6. Learned counsel for the petitioners submitted

that their names were not mentioned in the FIS. Later, they were impleaded. The petitioners were arrested on 31.08.2015.

7. Considering the nature of allegations and the stage of investigation, I am inclined to grant bail to the petitioners with the following conditions:

- (a) The petitioners shall be released on bail on their executing a bond for ₹50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioners shall appear before the Investigating Officer on all Mondays and

Thursdays between 10.00 a.m and 11.00 a.m.
until the final report is filed.

- (d) The petitioners shall not intimidate or attempt to influence the witnesses.
- (e) The petitioners shall not in any manner interfere or meddle with the investigation.
- (f) Petitioners shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge