

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

Bail Appl..No. 5573 of 2015

CRIME NO. 1286/2014 OF THIRUVALLAM POLICE STATION, THIRUVANANTHAPURAM.

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PETITIONERS/ACCUSED NOS. 1, 2, 3 & 5:

- 1. SARATH, AGED 24 YEARS, S/O.MANSOOR,
TC 58/351, MELE CHARUVILA HOUSE,
THIRUVALLA DESOM, THIRUVALLA VILLAGE.**
- 2. MITHRAN, AGED 35 YEARS, S/O.THULASI,
TC 65/1204, MUTTALAKUZH, LAKSHAMVEEDU COLONY,
PUNCHAKKARI DESOM, THIRUVALLA VILLAGE.**
- 3. SAJU, AGED 30 YEARS, S/O.CHANDRAN,
TC.58/268, SANTHIPURAM,
THIRUVALLA DESOM, THIRUVALLA VILLAGE.**
- 4. DEEPU, AGED 30 YEARS, S/O.THULASI, TC 65/1204,
MUTTALAKUZH LAKSHAMVEEDU COLONY,
PUNCHAKKARI DESOM, THIRUVALLA VILLAGE.**

BY ADV. SRI.R.GOPAN

RESPONDENT(S)/COMPLAINANTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SUB INSPECTOR OF POLICE,
THIRUVALLAM POLICE STATION,
THIRUVANANTHAPURAM - 695 004.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A No.5573 of 2015

Dated this the 28th day of September, 2015.

ORDER

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

2. Petitioners are accused Nos.1 to 3 & 5 in Crime No.1286 of 2014 of Thiruvallam Police Station registered for offences punishable under Sections 143, 147, 148, 149, 452, 341, 323, 324 and 427 I.P.C.

3. Prosecution case, in short, is that on 28-12-2014 at about 4.00 p.m., the petitioners trespassed into the house of the defacto complainant. The first accused caught hold of the hair of the defacto complainant's wife and second accused beat her with a wooden stick. Other accused persons also assaulted the defacto complainant.

4. Heard the learned counsel for the petitioners and the learned Public Prosecutor. Perused the case diary.

5. Considering the nature of allegations, I am of the view that custodial interrogation is not necessary in this case. Hence, following directions are made :

1. Petitioners shall surrender before the investigating officer within a period of one

week from today and submit themselves for interrogation. In that event, they shall be released on bail on executing a bond for Rs.25,000/- each (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

2. The sureties shall produce documents to establish their identity and solvency.
3. Petitioners shall deposit a sum of Rs.2,500/- each (Rupees two thousand five hundred only) before the learned Magistrate having jurisdiction within a period of one week on execution of bond.
4. Petitioners shall appear before the Investigating Officer on all Sundays between 10.00 and 11.00 a.m until final report is filed.
5. Petitioners shall not influence or intimidate witnesses.
6. 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.

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