

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

Bail Appl..No. 5628 of 2015 ()

**CRIME NO. 1269/2015 OF KAREELAKULANGARA POLICE STATION ,
ALAPPUZHA DISTRICT**

PETITIONER(S)/ACCUSED NO.1 & 3:

- 1. SHIHABUDHEEN, AGED 32 YEARS,
S/O.ABDUL SALAM, SHIHABUDHEEN MANZIL,
PATHIYOOR PANCHAYAT WARD NO.XIX, RAMAPURAM,
KEERIKKAD VILLAGE.**
- 2. SAGAR, AGED 22 YEARS, S/O.CHANDRAN,
THANAPPARAMBIL VEEDU, RAMAPURAM MURI,
KEERIKKAD.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT/STATE:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM-682 031.
(CRIME NO.1269/2015 OF KAREELAKULANGARA POLICE STATION,
ALAPPUZHA DISTRICT).**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B. SUDHEENDRA KUMAR, J.

Bail Appl. No.5628 of 2015

Dated this the 25th day of September 2015

ORDER

Petition filed under Sec.439 Cr.P.C.

2. The petitioners are accused nos.1 and 3 in Crime No.1269 of 2015 of Kareelakulangara Police station registered for the offences under Secs.143, 147, 148, 452, 324, 323 and 308 read with Sec.149 of the Indian Penal Code.

3. The prosecution case is that on 28.08.2015 at 9.00 p.m., the petitioners along with other accused trespassed into the house of the defacto complainant and attacked him with deadly weapons like sword causing injuries on him. The petitioners were arrested on 31.08.2015 and ever since they have been in custody.

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

5. It has been submitted by the learned Public Prosecutor that the petitioners are not involved in any other offence of similar nature. It has been also submitted

that the investigation as regards the petitioners is almost complete and the recovery has also been effected.

6. Considering the facts and circumstances of the case, I am of the view that further detention of the petitioners is not necessary for the progress of investigation of this case. In the said circumstances , I am inclined to allow this bail application.

In the result, this bail application stands allowed and the petitioners shall be released on bail on condition of each of the petitioners executing a bond for Rs.30,000/- (Rupees thirty thousand only) each with two solvent sureties each, each for the like sum to the satisfaction of the Court of the Judicial Magistrate of First Class-I, Haripad and subject to the following further conditions:-

1. The petitioners shall report before the investigating officer for interrogation on every Monday between 9.00 a.m. and 11.00 a.m. for a period of three months and thereafter as and when required by the investigating officer in

writing to do so.

2. The petitioners shall not get involved in any other offence during the pendency of this case.

3. The petitioners shall not intimidate or influence the witnesses or in any way tamper with the investigation.

Sd/-

**B. SUDHEENDRA KUMAR
JUDGE**

/ True Copy /

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P.A. To Judge