

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

Bail Appl..No. 5671 of 2015 ()

CRIME NO. 1085/2015 OF MANJERI POLICE STATION , MALAPPURAM DISTRICT

PETITIONER/1ST ACCUSED:

**RIMSHAD, AGED 21 YEARS,
S/O. ALI, CHEMMALA HOUSE, KIDANGAZHI P.O.,
MANJERI, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.SAMSUDIN
SRI.JITHIN LUKOSE**

RESPONDENT/COMPLAINANT:

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM-682 031.
(IN CRIME NO. 1085/2015 OF MANJERI POLICE STATION,
MALAPPURAM DISTRICT).**

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A. HARIPRASAD, J.

Bail Appl. No.5671 of 2015

Dated this the 9th day of October 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.1085 of 2015 of Manjeri Police station registered for the offences punishable under Secs.143, 147, 148, 341, 323, 324 and 308 read with Sec.149 of the Indian Penal Code. The prosecution allegation is that on 17.07.2015 at about 1.30 a.m., the petitioner along with other accused formed themselves into an unlawful assembly, armed with deadly weapons, committed rioting, wrongly restrained the defacto complainant and attacked him with an iron pipe.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. Learned counsel for the petitioner submitted that there is no material on record to implicate the petitioner for an offence under Sec.308 of the Indian

Penal Code.

5. The materials in the case diary show that the defacto complainant sustained only very minor injury. Considering the facts and circumstances of the case, pre arrest bail is granted to the petitioner with the following conditions.

1. The petitioner shall surrender before the investigating officer within a period of one week and submit himself for interrogation.

2. In the event of arrest, the petitioner shall be released on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioner shall appear before the Investigating Officer for interrogation as and when directed to do so in writing.

4. The petitioner shall not intimidate

or attempt to influence the witnesses, nor
shall he tamper with the evidence.

In case of violation of any of the above
conditions, the learned Magistrate is empowered to
cancel the bail in accordance with law without referring
the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/09/10/2015

P.A. To Judge