

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

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

Bail Appl..No. 5696 of 2015 ()

**CRIME NO. 1028/2015 OF PARAPPANANGADI POLICE STATION,
MALAPPURAM DISTRICT**

PETITIONER(S)/ACCUSED 1 TO 4 :

- 1. N.JAMAL, AGED 37 YEARS,
S/O. NERINGIYIL HANEEFA, CHAZHATHICHIRA HOUSE,
PORANCHERY P.O., VALLIKUNNU NORTH,
KADALUNDI NAGARAM VIA, MALAPPURAM DISTRICT.**
- 2. JALEEL N.K., AGED 43 YEARS,
S/O. MOHAMMED KUTTY, NALAKATH KOTTATHODI HOUSE,
PORANCHERY P.O., VALLIKUNNU NORTH,
KADALUNDI NAGARAM VIA, MALAPPURAM DISTRICT.**
- 3. V.K.ABDUL SATHAR @ SATHAR, AGED 33 YEARS,
S/O. VAKAKKE KOTTALATH ALIKOYA, KOTTATHODI HOUSE,
PORANCHERY P.O., VALIKUNNU NORTH,
KADALUNDI NAGARAM VIA, MALAPPURM DISTRICT.**
- 4. ALAVIKUTTY.K, AGED 43 YEARS,
S/O. ALIKOYA, KODAKKATTAKATH HOUSE, PORANCHERY P.O.,
VALLIKUNNU NORTH, KADALUNDI NAGARAM VIA,
MALAPPURAM DISTRICT.**

BY ADV. SRI.R.RAMADAS

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

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

sts

B.SUDHEENDRA KUMAR, J.

B.A. No. 5696 of 2015

Dated this the 22nd day of September, 2015

ORDER

The petitioners are the accused in crime no.1028/2015 of Parappanangadi Police Station, registered under Sections 308, 323, 324, 326 and 341 r/w 34 IPC.

2. The petitioners have filed this application under Section 438 Cr.P.C

3. The prosecution allegation is that on 28.07.2015, at about 8 p.m., the petitioners attacked the de-facto complainant with an iron rod and sticks after wrongfully restraining him, causing injuries including fractures on him.

4. Heard.

5. It has been submitted by the learned Public Prosecutor that two fractures were sustained by the de-facto complainant in the incident. One fracture was

sustained on the index finger and another fracture was sustained on the thumb of the de-facto complainant. It has been further submitted by the learned Public Prosecutor that the petitioners are not involved in any other offence as per the case diary. Considering the facts and circumstances of the case, including the nature of injuries sustained by the de-facto complainant and also taking into consideration of the fact that the petitioners are first time offenders, I am inclined to grant relief under Section 438 Cr.PC in favour of the petitioners.

6. In the result, this bail application stands allowed and the respondent is directed to release the petitioners on bail in the event of their arrest in crime No.1028/2015 of Parappanangadi Police Station, on condition of each of the petitioners executing a bond for Rs.25,000/- (rupees twenty five thousand only) each with two solvent sureties each, each for the like sum to the satisfaction of the Sub Inspector of Police, Parappanangadi Police Station, before whom the petitioners shall surrender within 10 days from today, if not

already arrested, and subject to the following further conditions:

- 1) The petitioners shall report before the investigating officer on every Monday between 9 a.m. and 11 a.m. for 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 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//

P.A.TO JUDGE

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