

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Bail Appl..No. 5732 of 2015 ()

**CRIME NO. 1540/2015 OF PANDALAM POLICE STATION,
PATHANAMTITTA DISTRICT**

PETITIONERS/ACCUSED NO.9, 10 AND 12:-:

- 1. M.P. BINUKUMAR @ BINU, AGED 37 YEARS,
S/O. BALAKRISHNA PILLAI, MUKADAYILTHEKKETHIL,
MANGARAM MURI, PANDALAM P.O.**
- 2. G. ARUNKUMAR @ ARUN, AGED 40 YEARS,
S/O.GOPALAKRISHNA PILLAI, VALIYAPUTHUSSERIYIL VEEDU,
KADAKKAD NORTH MURI, PANDALAM P.O.**
- 3. M.P.BIJUKMAR @ BIJU AGED 39 YEARS
S/O.BALAKRISHNA PILLAI, MUKADIYILTHEKKETHIL
MANGARAM MURI, PANDALAM P.O.**

**BY ADVS.SRI.K.SASIKUMAR
SRI.S.ARAVIND
SRI.R.ROHITH**

RESPONDENT :

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

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.5732 of 2015

Dated this the 30th day of September, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioners 1 and 3 are accused 9 and 12 in Crime No.1540 of 2015 of Pandalam Police Station registered for offences punishable under Sections 143, 147, 148, 149, 294(b), 153,332 and 353 of the Indian Penal Code. Second petitioner is not an accused in the crime. Hence his application is rejected. In respect of petitioners 1 and 3, the case is that on 06.09.2015, these petitioners along with other accused persons engaged in a scuffle with another group which resulted in causation of injuries to some Police Officers. It is alleged that somebody pelted stones, thereby the Police Officers were prevented from discharging duties.

3. Heard both sides.

After hearing both sides and on perusal of the materials in the case diary, I am of the view that custodial interrogation of petitioners 1 and 3 is not necessary. Hence the following order:

i. Petitioners 1 and 3 shall surrender before the investigating officer within a period of two weeks and submit themselves for

interrogation. Thereafter each one of them shall execute a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer. In that event, they shall be released on bail in Crime No.1540 of 2015 of Pandalam Police Station.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. Petitioners shall appear before the Investigating Officer as and when directed in writing and co-operate with the investigation in the matter.

iv. They shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the officer concerned is free to arrest the petitioners as if no order is passed.

A. HARIPRASAD, JUDGE.

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