

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 5770 of 2015

CRIME NO. 1984/2015 OF CHALAKKUDY POLICE STATION, THRISSUR DISTRICT.

PETITIONER/ACCUSED:

**TENSON V.M, AGED 37 YEARS,
S/O.V.C.MATHEW, VATTOLY HOUSE,
THOOMBAKODE, P.O.KANJIRAPPILLY,
CHALAKUDY VIA. THRISSUR DISTRICT.**

**BY ADVS.SRI.M.H.HANIL KUMAR
SRI.M.R.DHANIL
SMT.P.SREESHA**

RESPONDENT(S)/COMPLAINANT/STATE:

- 1. SUB INSPECTOR OF POLICE,
CHALAKUDY POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
COCHIN - 682 031.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. No.5770 of 2015

Dated this the 15th day of October 2015

O R D E R

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

2. Petitioner is the 8th accused in Crime No.1984 of 2015 of Chalakkurdy Police station registered for the offences punishable under Secs 143, 147, 148, 353, 354 and 3(2) of the Prevention of Destruction of Public Property Act. The prosecution allegation is that on 07.09.2015 at about 11.00 a.m., the petitioner along with other persons belonging to a particular party about 50 in number as members of an unlawful assembly indulged in sloganeering and came as a procession without any permission. When the Police officers directed them to disperse, as their assembly was not lawful, the petitioner along with the others attacked the Police officers and pulled the hand of a women Police Constable. Thereafter, they attempted to barge into the office of the Chalakkudy Municipality and in the act a loss of Rs.600/- (Rupees six hundred only) was caused to the furniture of the

Municipality.

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

4. Learned counsel for the petitioner submitted that the petitioner is a public spirited person and a political activist.

5. Learned Public prosecutors opposed the bail application contending that the petitioner is involved in seven other crimes. Some of the cases are under the Kerala Police Act and the others are under the Kerala Public Ways (Restriction of Assembly and Procession) Act, 2011.

Considering the nature of allegations and the materials in the case diary, following directions are issued.

The petitioner shall surrender before the investigating officer within a period of one week and submit himself for interrogation. The Investigating Officer shall produce him before the learned Magistrate having jurisdiction on

the date of surrender itself. Thereafter, the petitioner is free to move for regular bail before the learned Magistrate and in that event, the learned Magistrate shall consider the application on merit and pass appropriate orders if possible on the date of surrender itself.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/15/10/2015

P.A. To Judge