

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. 5809 of 2015 ()

**CRIME NO. 1268/2015 OF KAREELAKULANGARA POLICE STATION,
ALAPPUZHA DISTRICT**

PETITIONERS/ACCUSED 1, 7, 13, 15, 17 AND 18 :

- 1. ANILKUMAR, AGED 28 YEARS,
S/O. BRAHMANANDA, ANIL BHAVANAM,
PATHIYOOR PANCHAYATH WARD NO. XIX,
RAMAPURAM, KEERIKAD VILLAGE.**
- 2. SAMSON, AGED 23 YEARS,
S/O.KESAVA VARMA, PATHIYOOR PANCHAYATH WARD NO XIX
RAMAPURAM, KEERIKAD VILLAGE.**
- 3. AKHIL, AGED 20 YEARS,
S/O. ACHUTHAN, IRUMBANILAKSHMA VEETIL
PATHIYOOR PANCHAYATH WARD NO. 19, RAMAPURAM
KEERIKAD VILLAGE.**
- 4. JISHNU, AGED 18 YEARS,
S/O. VIJAYAN, KOTTAPURATHU VEEDU
MUTHUKULAM NORTH MURI, MUTHUKULAM VILLAGE.**
- 5. VISWANATH, AGED 21 YEARS,
S/O. VISWANATHAN, VISHNU BHAVAN, RAMAPURAM
KEERIKAD.**
- 6. SYAMKUMAR, AGED 24 YEARS,
S/O. SASEENDRAN, SREENANDANAM, MUTHUKULAM VILLAGE.**

**BY ADVS.SRI.K.B.ARUNKUMAR
SRI.RANJIT BABU**

RESPONDENT :

**STATE OF KERALA REPRESENTED THROUGH
THE SUB INSPECTOR OF POLICE,
KAREELAKULANGARA POLICE STATION, ALAPUZZHA DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682031.**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

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

A.HARIPRASAD, J.

B.A.No.5809 of 2015

Dated this the 30th day of September, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioners are accused Nos.1, 7, 14, 15, 3 and 17 in Crime No.1268 of 2015 of Kareelakulangara Police Station registered for the offences punishable under Sections 143, 147, 148, 447, 323, 324, 326 and 307 r/w Section 149 of the Indian Penal Code

3. The incident was on 28.08.2015 at about 12.30 a.m. The accused persons who are members of an organization formed themselves into an unlawful assembly armed with deadly weapons like wooden stick, iron road, sword stick etc, and with an intention to do away with the life of the victim, attacked members of another political outfit due to political enmity by criminally trespassed into the courtyard of the victim and inflicted serious injuries on head and other parts of the victim.

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

5. Leaned counsel for the petitioners submitted that they are in custody from 29.08.2015.

6. Leaned Public Prosecutor opposed the bail application by contending that the report submitted by the Investigating Officer shows that the possibility of the further clash between the parties and thereby disruption of peace in the area. Investigation has advanced to a considerable extent.

7. Considering the stage of investigation and nature of allegations, I am inclined to grant bail to the petitioners with the following conditions:

(a) The petitioners shall be released on bail on their executing a bond for ₹50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned magistrate having jurisdiction.

(b) The sureties shall produce documents to

establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

- (c) The petitioners shall not enter the local limits of Kareelakulangara Police Station for a period of three months except for the purpose of reporting to the Investigating Officer or attending the court.
- (d) The petitioners shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (e) The petitioners shall not intimidate or attempt to influence the witnesses.
- (f) The petitioners shall not in any manner interfere or meddle with the investigation.
- (g) The petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A to Judge