

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

Bail Appl..No. 5852 of 2015 ()

CRIME NO. 780/2015 OF ERUMAPETTY POLICE STATION,
TRISSUR DISTRICT

PETITIONERS/ACCUSED NOS.7,8,11,13 & 15 :

1. GOKUL KRISHNA, AGED 20 YEARS,
S/O GOPALAKRISHNAN, KARPURA CHALIL HOSUE,
KOLOERY P.O., KENICHIRA, WAYANAD.
2. DIVYARAJ, AGED 20 YEARS
S/O C.A.BHASKARAN, CHETTIPARAMBIL HOUSE,
P. VEMBALLUR, THRISSUR.
3. RICHIN, AGED 19 YEARS,
S/O VIJAYAN, CHEMBAKASSERY, NALALAM
KOZHIKODE.
4. JITHU JAMES, AGED 20 YEARS, S/O JAMES,
KUNNAKATTU MALAYIL, KANICHAR P.O., KANNUR.
5. VYSAKH BHASKARAN, AGED 20 YEARS,
S/O BHASKARAN, ALIKKAL HOUSE, NEERCHAL,
AMBALAVAYAL, WAYANAD.

BY ADV. SRI.M.PREMCHAND

RESPONDENT/COMPLAINANT :

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 06-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

bp

A.HARIPRASAD, J.

B.A No.5852 of 2015

Dated this the 6th day of October, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioners are accused Nos.7, 8, 11, 13 and 16 in Crime No.780 of 2015 of Erumapetty Police Station registered for offences punishable under Sections 143, 147, 148, 447, 341, 323, 452, 506(1), 427 and 149 I.P.C.

3. Prosecution case, in short, is that the petitioners are students of Royal Engineering College, Kunnankulam, committed rioting in the college on 21.08.2015, causing extensive damage to the fittings and fixtures of the college.

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

5. Learned counsel for the petitioners submitted that the students were chased by police and they fled from the scene. Learned counsel further submitted that the petitioners are totally innocent for all the allegations.

6. Learned Public Prosecutor opposed the bail application contending that the petitioners along with other accused caused extensive damage to the college and implements therein. Loss estimated is Rs.10.25 lakhs. Considering the nature of allegations, following directions are made :

- (a) Petitioners shall surrender before the investigating officer within a period of 'two weeks' from today and submit themselves for interrogation. In that event, the petitioner shall be released on bail on executing a bond for Rs.25,000/- each (Rupees twenty five thousand only) with two solvent sureties for the like sum to the satisfaction of the Investigating Officer.
- (b) One of the sureties shall be either parents or siblings or close relatives of the petitioner. The sureties shall produce documents to establish their identity and solvency.
- (c) The petitioners shall deposit a sum of Rs.10,000/- each (Rupees ten thousand only) as security before the learned Magistrate having

jurisdiction within a period of 'two weeks' from today.

- (d) The petitioners shall appear before the Investigating Officer as and when directed for the purpose of investigation.
- (e) The petitioners shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

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.

//True copy//

P.A to Judge