

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

Bail Appl..No. 5891 of 2015 ()

CRIME NO. 606/2015 OF PULPALLY POLICE STATION, WAYANAD DISTRICT.

PETITIONERS/ACCUSED:

- 1. K.R. JAYARAM, AGED 41 YEARS,
S/O. LATE C.K. RAGHAVAN, KAMALA BHAVAN,
PULPALLY P.O., WAYANAD DISTRICT.**
- 2. K.R. JAYARAJAN, AGED 39 YEARS,
S/O. LATE C.K. RAGHAVAN, RAGHUNANDANAM,
PULPALLY P.O., WAYANAD DISTRICT.**
- 3. P.N. SIVADAS, AGED 53 YEARS,
S/O. NARAYANAN, PUTHANVEEDU,
PULPALLY P.O., WAYANAD DISTRICT.**

**BY ADVS.SRI.S.RAJEEV,
SRI.K.K.DHEERENDRAKRISHNAN,
SRI.V.VINAY.**

RESPONDENTS/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031,
(CRIME NO.606/2015 OF PULPALLY POLICE STATION,
WAYANAD DISTRICT).**
- 2. STATION HOUSE OFFICER,
PULPALLY POLICE STATION,
WAYANAD DISTRICT-673 579,
(CRIME NO.606/2015 OF PULPALLY POLICE STATION,
WAYANAD DISTRICT).**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.5891 of 2015

Dated this the 27th day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioners apprehend arrest in Crime No.606 of 2015 of Pulpally Police Station registered for offences punishable under Sections 143, 144, 147, 148, 324, 506(ii) and 308 read with Section 149 of the Indian Penal Code.

3. Prosecution allegation is that on 07.09.2015 around 150 persons who are followers of SNDP Union assembled in protest against the act of a political party taking out a procession in connection with Sreekrishna Jayanthi.

4. Heard both sides.

5. Learned counsel for the petitioners contended that only for making the offence a non-bailable one, Section 308 of the Indian Penal Code has been added without any material allegations or reasons.

Considering the nature of allegations and the injury sustained by the defacto complainant, I am of the view that the matter can be disposed with the following directions:

i. Petitioners shall surrender before the investigating

officer within a period of one week 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.606 of 2015 of Pulpally Police Station.

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

iii. They 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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