

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

Bail Appl..No. 5932 of 2015

CRIME NO. 837/2015 OF AYIROOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.
.....

PETITIONER(S)/ACCUSED:

1. SAKUNTHALA, AGED 45 YEARS,
W/O.DHARMARAJAN, CHANTHU VILASOM,
HARIJAN COLONY, MUTTAPAALAM, VARKALA,
THIRUVANANTHAPURAM DISTRICT.
2. SARIKA, AGED 26 YEARS, W/O.PRASAD,
SUNIL MANDIRAM, HARIJAN COLONY,
MUTTAPAALAM, VARKALA,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.P.ANOOP (MULAVANA)

RESPONDENT(S):

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.C.RASHEED

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 05-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

mbr/

A.HARIPRASAD, J.

B.A. No.5932 of 2015

Dated this the 5th day of October, 2015

ORDER

Petitioners seek pre-arrest bail under Section 438 of the Code of Criminal Procedure. They are accused 16 and 17 in Crime No.837 of 2015 of Ayiroor Police Station registered for offences punishable under Sections 143, 147, 148, 324 and 302 of the Indian Penal Code and Section 27 of the Arms Act..

2. Prosecution allegation is that on 25.06.2015 at 6.00 p.m. due to previous enmity towards the deceased, the accused persons attacked him and one of his relatives. Accused 1 and 2 attacked the deceased with swords and the third accused attacked with a machete and caused injuries to the deceased. Accused 4 to 13 also attacked the defacto complainant with iron rod and sticks.

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

4. Accused 1 to 15 are already in custody. Allegation against the petitioners is that they are members of the unlawful assembly. First petitioner is the mother of the 15th accused. Petitioners are sisters. The incident happened in a colony.

Considering the nature of allegations against the petitioners, following directions are issued:

Petitioners shall surrender before the investigating officer within a period of one week and submit themselves for interrogation. Thereafter, the investigating officer shall produce them before the Magistrate having jurisdiction on the date of surrender itself. In that event, the petitioners are free to move for bail and the learned Magistrate shall consider the application on merits as expeditiously as possible, if possible

on the date of production itself. If the petitioners do not surrender before the investigating officer within the said time, the investigating officer is free to arrest them, as if no order is passed in this case.

Application is disposed of.

A. HARIPRASAD, JUDGE.

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