

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. 5935 of 2015 ()

CRIME NO. 426/2015 OF KADINAMKULAM POLICE STATION, THIRUVANANTHAPURAM

PETITIONERS/A6 & A7 :

- 1. ANSIL, AGE 19,
S/O.MANZOOR, PANDAKASALA VEEDU, PERUMATHURA P.O.
SHARKARA VILLAGE, THIRUVANANTHAPURAM.**
- 2. THARIK, AGE 18,
S/O.KHADISAMI, PANDAKASALA VEEDU, PERUMATHURA P.O.
SHARKARA VILLAGE, THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT/STATE :

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

BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH

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

Mn

A.HARIPRASAD, J.

B.A.No.5935 of 2015

Dated this the 5th day of October, 2015

O R D E R

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused Nos.6 and 7 in Crime No.426 of 2015 of Kadinamkulam Police station, registered for the offences punishable under Secs.143, 147, 148, 294(b), 323, 324, 341, 452 and 506(ii) read with Sec.149 of the Indian Penal Code.

3. The prosecution case is that on 21.07.2015 at about 08.30 p.m., the accused persons, formed themselves into an unlawful assembly with the common object of assaulting the *de facto* complainant, trespassed into the shop and wrongfully restrained him. They uttered obscene words. A1 hit on his face with a stick and A3 hit him with a cycle chain.

4. Heard both sides.

5. Learned counsel for the petitioners submitted that accused Nos. 1 to 4 were released on anticipatory bail by this court as per order dated 10.09.2015 in

B.A.No.5224 of 2014.

6. Considering the nature of allegations, I am inclined to grant anticipatory bail to the petitioners with the following conditions.

- (a) The petitioners shall appear before the investigating officer within a period of two weeks and submit themselves for interrogation.
- (b) In the event of arrest, the petitioners shall be released on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.
- (c) They shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.
- (d) They shall not involve in any other offence during the period of bail.
- (e) They shall co-operate with investigation of

the case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge