

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Bail Appl..No. 6016 of 2015

CRIME NO. 1050/2015 OF ERNAKULAM TOWN SOUTH POLICE STATION
.....

PETITIONER(S)/1ST ACCUSED:

**T.P.VENU, AGED 52 YEARS,
S/O. PARAMESWARAN, THATTANPARAMBIL, AIMS P.O.,
EDAPPALLY.**

**BY ADVS.SRI.T.P.PRADEEP
SRI.P.K.SATHEES KUMAR**

RESPONDENT(S)/COMPLAINANTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**
- 2. SUB INSPECTOR OF POLICE,
ERNAKULAM TOWN SOUTH POLICE STATION, 682 018.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
08-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A. HARIPRASAD, J.

Bail Appl. No.6016 of 2015

Dated this the 8th day of October 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.1050 of 2015 of Ernakulam Town South Police station registered for the offences punishable under Secs.143, 147, 448, 427 and 149 of the Indian Penal Code and Sec.3(2) of the Prevention of Damage to Public Property Act. The prosecution allegation is that the accused persons under the leadership of the petitioner formed themselves into an unlawful assembly. The petitioner, being the Secretary of a union in a Government enterprise, K.U.R.T.C, on 04.09.2015 at about 1.20 p.m., trespassed into the office and destroyed the furniture causing a loss of Rs.5,000/-(Rupees five thousand only).

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

4. Learned counsel for the petitioner contended that the incident though allegedly happened on

04.09.2015, the First Information Report was registered only on 06.09.2015. Political rivalry between the unions lead to the registration of this crime is the contention.

5. Learned Public Prosecutor opposed the bail application.

6. According to the materials in the case diary, the petitioner held a protest procession in which they ransacked the office of the K.U.R.T.C.

Considering the facts and circumstances of the case following directions are issued.

1. The petitioner shall surrender before the investigating officer within a period of one week and submit himself for interrogation.

2. In the event of arrest, the petitioner shall be released on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioner shall deposit Rs.5,000/- (Rupees five thousand only) within three days

from the date of release on bail before the learned Magistrate having jurisdiction.

4. The petitioner shall appear before the Investigating Officer for interrogation as and when directed to do so in writing.

5. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

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

/ True Copy /

NS/08/10/2015

P.A. To Judge