

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

Bail Appl..No. 6125 of 2015 ()

CRIME NO. 1748/2015 OF KUNNAMKULAM POLICE STATION, THRISSUR DISTRICT

PETITIONER(S) :

1. AKHIL K.A., AGED 23,
S/O.ANILAN K.R., KUZHIPARAMBIL HOUSE
MARATHAMCODE P.O., THRISSUR, PIN-680404.
2. SURAJ K.R., AGED 24,
S/O.RAJAN K.K., KANDAMPULLY HOUSE,
MARATHAMCODE P.O.
THRISSUR-680 604.

BY ADV. SRI.A.B.JALEEL

RESPONDENT(S) :

1. THE SUB INSPECTOR OF POLICE
KUNNAMKULAM POLICE STATION, KUNNAMKULAM
THRISSUR-638 001.
2. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA,
ERNAKULAM-682 031.

R1 & R2 BY PUBLIC PROSECUTOR SRI. C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A No.6125 of 2015

Dated this the 12th day of October, 2015.

ORDER

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

2. Petitioners are accused No.2 and 4 in Crime No.1748/2015 of Kunnankulam Police Station registered for offences punishable under Sections 307, 143, 147, 148, 341, 452, 323, 326 and 506(ii) r/w Section 149 I.P.C. The incident was on 23-09-2015.

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

5. Learned Public Prosecutor submitted that there is a case and counter case. There is no allegation that these petitioners used any dangerous weapon in the incident. First accused used an iron pipe. He was arrested and now remains in custody. Custody of these petitioners is not necessary for the purpose of recovery of any materials. They do not have any criminal antecedents. After hearing the counsel on both sides, I

am of the view that pre-arrest bail can be granted to the petitioners with following directions :

1. 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 each for the like sum to the satisfaction of the Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency.
3. Petitioners shall appear before the Investigating Officer as and when directed.
4. Petitioners shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioners, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.