

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.HARIPRASAD

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

Bail Appl..No. 6205 of 2015 ()

CRIME NO. 1050/2015 OF MANNANTHALA POLICE STATION , THIRUVANANDAPURAM

PETITIONER(S) /ACCUSED:

1. SYAM, AGED 21 YEARS, S/O.LELLAS
BLOCK NO 22, MGHC, VATTAPPARA P O
THIRUVANANTHAPURAM

2. AKSHAY, AGED 19 YEARS,
S/O.GEORGEKUTTY, BLOCK NO 72, MGHC,
VATTAPPARA P O, THIRUVANANTHAPURAM

3. RICHU, AGED 22 YEARS,
S/O.SATHEESH, BLOCK NO 71, MGHC, VATTAPPARA P O
THIRUVANANTHAPURAM

BY ADVS.SMT.M.SANTHI (K/868/2011)
SRI.G.RANJU MOHAN

RESPONDENT(S) /STATE:

STATE OF KERALA
REP BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
09-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

A.HARIPRASAD, J.

B.A.No.6205 of 2015

Dated this the 9th day of October, 2015

O R D E R

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

2. Petitioners are accused 2, 3 and 6 in Crime No.1050 of 2015 of Mannanthala Police Station registered under Sections 143, 147, 148, 149, 324 and 308 of IPC.

3. The prosecution case is that, due to previous enmity, the accused persons on 20.09.2015 at about 3 p.m. attacked the defacto complainant by using cadjan and thereby caused injury to head and other vital parts of the body.

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

5. The learned counsel for the petitioners submitted that, the incident was in connection with a football match. Petitioners are youngsters.

6. The learned Public Prosecutor opposed the bail application contending that A2 and A3 used weapons for assaulting the defacto complainant. There is no allegation that A6 used any weapon.

7. Therefore, their case has to be differentiated on the basis of the allegations. Hence, the following order :

In the event of arrest in Crime No.1050 of 2015 of Mannanthala Police Station, the third petitioner (6th accused) shall be released on bail with the following conditions :

1. The petitioner shall surrender before the investigating officer within a period of two weeks 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) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on every Monday till the final report is filed.

4. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall they 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.

The first and second petitioners (2nd and third accused) shall surrender before the investigating officer within a week and submit themselves for interrogation. Thereafter, they shall be produced on the same day before the court having jurisdiction. They are free to move for bail before that court. The court shall consider the matter on merit as expeditiously as possible, if possible on the date of surrender itself.

Sd/-

A.HARIPRASAD, JUDGE

AV

/True Copy/

P.A to Judge