

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. 6206 of 2015 ()

AGAINST THE ORDER IN CRMP 2596/2015 of D.C. & SESSIONS COURT,KOLLAM DATED
29.09.2015
CRIME NO. 2488/2015 OF KARUNAAGAPPALLY POLICE STATION , KOLLAM

PETITIONERS/ACCUSED NOS.7,8 AND 10:

1. SUDHEER AGED 41 YEARS
S/O.KASIMKUNJU, PUTHUPALAM HOUSE, MUZHANGODI MURI
THODIYOOR VILLAGE, KARUNAGAPPALLY
2. SHAMNAD @ KOCHUPODI AGED 30 YEARS
S/O.BASHEERKUTTY, KALARI VDAKKATHIL, MUZHANGODI MURI
THODIYOOR VILLAGE, KARUNAGAPPALLY
3. NOUSHAD @ POTTIPPATHI AGED 30 YEARS
S/O.SAITHU, PEROOR KIZHAKKATHIL, MUZHANGODI MURI
THODIYOOR, KARUNAGAPPALLY NOW R/A.MUBEENA MANZIL
MUZHANGODI MURI, THODIYOOR VILLAGE, KARUNGAPPALLY

BY ADVS.SRI.K.SIJU
SMT.S.SEETHA

RESPONDENT:

STATE OF KERALA
THROUGH THE S I OF POLICE
KARUNAGAPPALLY POLICE STATION
REP BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM

R 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:

A.HARIPRASAD, J.

B.A.No.6206 of 2015

Dated this the 8th day of October, 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioners are accused Nos.7, 9 and 10 in Crime No.2488 of 2015 of Karunagappally Police Station registered for the offences punishable under Sections 143, 147, 148, 153, 323, 324, 325 and 307 read with Section 149 of IPC.

3. The prosecution case is that, on 21.08.2015, accused 10 in number formed into an unlawful assembly with deadly weapons and attacked the defacto complainant in furtherance of their common object.

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

5. The learned Public Prosecutor submitted that, the petitioners dragged the defacto complainant and the other accused used weapons. They are in custody from 02.09.2015 and 03.09.2015 respectively.

6. Considering the stage of investigation and the nature of allegations, I am inclined to grant bail to these petitioners with the following conditions :

i. The petitioners shall be released on bail on

their executing a bond for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioners shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on all Mondays and Thursdays of every calender month until the final report is filed.

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

v. The petitioners shall not involve in any other offence during the period of bail.

vi. They shall surrender their passport forthwith. If they do not have any passport, they shall file an affidavit before the Magistrate Court.

vii. They shall not enter the limits of

Karunagappally Police Station for a period of three months except for complying with the conditions.

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

AV

/True Copy/

P.A to Judge