

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. 6254 of 2015 ()

CRIME NO. 1622/2015 OF KOTHAMANGALAM POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED NO.1 TO 3 :

- 1. JISMON
AGED 19 YEARS,
S/O.JOSE, CHATHURUTHY HOUSE
KEERAMPARA KARA, KEERAMPARA VILLAGE.**
- 2. JOMY
AGED 18 YEARS, S/O.JOSE, CHATHURUTHY HOUSE
KEERAMPARA KARA, KEERAMPARA VILLAGE.**
- 3. BASIL ALIAS ELDHOSE
AGED 21 YEARS, S/O.JOSE, CHATHURUTHY HOUSE
KEERAMPARA KARA, KEERAMPARA VILLAGE.**

BY ADV. SRI.P.M.HABEEB

RESPONDENT(S) :

**STATE OF KERALA
REP. BY STATION HOUSE OFFICER
KOTHAMANGALAM POLICE STATION
THROUGH PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT. REMA R.

**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.

Bail Appl. No.6254 of 2015

Dated this the 12th day of October 2015

ORDER

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

2. Petitioners are accused nos.1 to 3 in Crime No.1622 of 2015 of Kothamangalam Police station registered for the offences punishable under Secs.452, 427, 323 and 324 read with Sec.34 of the Indian Penal Code. Prosecution allegation is that, on 13.09.2015 at about 8.15 p.m., the accused in furtherance of their common intention trespassed into the house of the defacto complainant and broke the window pains by using iron rod, pipe etc. They also broke the windshield of the car and caused hurt to the defacto complainant as well. The petitioners remain in custody from 15.09.2015 onwards.

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

4. Learned Public Prosecutor submitted that

final report has already been filed in this matter.

Considering the nature of allegation and the fact that final report has already been filed, bail is granted to the petitioners with the following conditions.

i. The petitioners shall be released on bail on their 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 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 Court below on all posting dates without fail.

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

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

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/12/10/2015

P.A. To Judge