

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

Bail Appl..No. 6284 of 2015 ()

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CRIME NO. 1373/2015 OF NEDUPUZHA POLICE STATION, THRISSUR DISTRICT.**

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PETITIONERS/ACCUSED 1 TO 3:

- 1. NITHIN, S/O. THOMAS, AGED 19 YEARS,
VADAKKEPURACKAL HOUSE, MYLANKULAM,
MUNDOOR P.O., THRISSUR DISTRICT.**
- 2. BEN MERLIN, S/O. RAJ, AGED 18 YEARS,
PALIYAKKARA HOUSE, SASTHRI LANE,
P.O. KURIYACHIRA, THRISSUR DISTRICT.**
- 3. SIJOSH, S/O. THIMOTHI,
AGED 31 YEARS, CHIRAYATH HOUSE,
ST.JOHNS STREET, P.O. CHIYARAM,
THRISSUR DISTRICT.**

**BY ADVS.SRI.C.A.CHACKO,
SMT.C.M.CHARISMA,
SMT.MEGHA K.XAVIER.**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTING SUB INSPECTOR OF POLICE,
NEDUPUZHA POLICE STATION, THRISSUR DISTRICT,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.6284 of 2015

Dated this the 14th day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Accused in Crime No.1373 of 2015 of Nedupuzha Police Station seek pre-arrest bail. The offences alleged are under Sections 143, 147, 341, 323, 324 and 452 read with Section 149 of the Indian Penal Code.

3. Prosecution allegation is that due to previous hostility, the accused persons on 08.09.2015 at 5.20 p.m., trespassed into the house of the defacto complainant and assaulted him and children.

4. Heard both sides.

Considering the nature of allegations, I am inclined to grant anticipatory bail to the petitioner with following conditions:

i. In the event of arrest in Crime No.1373 of 2015 of Nedupuzha Police Station, the petitioners shall be released on bail on each one of them executing a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. They shall appear before the investigating officer as and when directed in writing and co-operate with the investigation in the matter.

iv. They shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the officer concerned is free to arrest the second petitioners as if no order is passed.

A. HARIPRASAD, JUDGE.

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