

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

Bail Appl..No. 6287 of 2015 ()

CRIME NO. 311/2015 OF AMBALATHARA POLICE STATION, KASARAGOD DISTRICT

PETITIONERS/ACCUSED 5 TO 7 :

- 1. MOHANAN
S/O. RAMAN, AGED 42 YEARS
RESIDING AT PALATHINKAL HOUSE, VAZHAKODE
PULLUR P.O., HOSDURG TALUK,
KASARAGOD DISTRICT.**
- 2. K. AJITH
S/O K. ASHOKAN, AGED 21 YEARS
RESIDING AT KURIKKAL HOUSE, VAZHAKODE
PULLUR P.O., HOSDURG TALUK,
KASARAGOD DISTRICT.**
- 3. K. SUMESH
S/O. KUMARAN K., AGED 21 YEARS
RESIDING AT KUNNUMMAL HOUSE
VAZHAKODE, PULLUR P.O., HOSDURG TALUK
KASARAGOD DISTRICT**

BY ADV. SRI.T.MADHU

RESPONDENT/STATE :

**THE STATE OF KERALA
THROUGH THE STATION HOUSE OFFICER
AMBALATHARA POLICE STATION
KASARAGOD DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.6287 of 2015

Dated this the 13th day of October 2015

O R D E R

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

2. Petitioners are accused nos.5 to 7 in Crime No.311 of 2015 of Ambalathara Police station registered for the offences punishable under Secs.143, 147, 148, 452, 341, 326, 308 and 427 read with Sec.34 of the Indian Penal Code. They were arrested on 15.09.2015. Prosecution allegation is that, on 30.08.2015 at about 8.00 p.m., the accused persons along with others formed themselves into an unlawful assembly and trespassed into the house of the defacto complainant, vandalized the articles and destroyed the vehicles causing a loss to the tune of Rs.5 lakhs. The issue has a political colour and there is every possibility of breach of peace in the area.

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

4. Learned counsel for the petitioners

submitted that the petitioners remain in custody from 15.09.2015 and they may be granted bail.

Considering the stage of investigation and the fact that the petitioners remain in custody from 15.09.2015, I am inclined to grant bail to them with the following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.50,000/- (Rupees fifty 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 Investigating Officer for interrogation on every Monday and Thursday between 10.00 a.m. and 11.00 a.m. till the final

report is filed.

iv. The petitioners shall not enter the local limits of Ambalathara Police station except for complying with the directions in this order.

v. 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/13/10/2015

P.A. To Judge