

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 6296 of 2015 ()

**CRIME NO. 1023/2015 OF KASABA POLICE STATION,
PALAKKAD DISTRICT**

PETITIONERS/ACCUSED NO.3 & 4 :

- 1. MANU, AGED 21 YEARS,
S/O.MOHANAN, P.K.CHALLA, EDUPPUKULAM.**
- 2. RENJITH, AGED 20 YEARS,
S/O.VELAYUDHAN, P.K.CHALLA, EDUPPUKULAM.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENTS & STATE :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031
(CRIME NO.1023/2015 OF KASABA POLICE STATION,
PALAKKAD DISTRICT).**

BY PUBLIC PROSECUTOR SMT.R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A.No.6296 of 2015

Dated this the 15th day of October, 2015

O R D E R

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioners are accused Nos.3 and 4 in Crime No.1023 of 2015 of Kasaba Police Station registered for the offences punishable under Sections 341, 324 and 308 and 354 r/w Section 34 of the Indian Penal Code.

3. Prosecution case is that the accused in furtherance of their common intention, assaulted the informant with a chopper. The accused persons in the midst of the skirmish disrobed mother of the defacto complainant by pulling her Sari.

4. Heard both sides.

5. Learned counsel for the petitioners submitted that the offence under Section 354 of the I.P.C. is not attracted even by the averments. Further, they sustained only minor injuries in the group clash.

6. Leaned Public Prosecutor opposed the bail

application. She submitted that the accused persons are involved in other crimes.

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

- (a) The petitioners shall be released on bail on their executing a bond for ₹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.
- (b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioners shall appear before the Investigating Officer on all Sundays between 10.00 a.m and 11.00 a.m. until the final

report is filed.

- (d) The petitioners shall not enter the local limits of Kasaba Police Station for a period of three months except for the purpose of reporting to the Investigating Officer or attending the court.
- (e) The petitioners shall not intimidate or attempt to influence the witnesses.
- (f) The petitioners shall not in any manner interfere or meddle with the investigation.
- (g) The petitioners shall not, during the period of this bail get involved in any offence.

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.

AS

/True Copy/

P.A. to Judge