

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. 6297 of 2015 ()

CRIME NO. 1037/2015 OF KASABA POLICE STATION , PALAKKAD DISTRICT

PETITIONERS/ACCUSED NO.1 TO 3:

- 1. MANU, AGED 21 YEARS,
S/O.MOHANAN, P.K.CHALLA, EDUPPUKULAM.**
- 2. VAISAG, AGED 27 YEARS,
S/O.VIJAYAN, P.K.CHALLA, EDUPPUKULAM.**
- 3. KRISHNADAS, AGED 27 YEARS,
S/O.APPUKUTTAN, MAYAPOTTA, EDUPPUKULAM.**

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

RESPONDENT & STATE:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031
(CRIME NO.1037/2015 OF KASABA POLICE STATION,
PALAKKAD DISTRICT).**

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

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

sts

A.HARIPRASAD, J.

B.A.No.6297 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.1 to 3 in Crime No.1037 of 2015 of Kasaba Police Station registered for the offence punishable under Section 4 r/w Section 25(1B) (b) of the Arms Act.

3. Prosecution case is that on 09.09.2015 at about 10.00 a.m., the accused in furtherance of their common intention, armed with deadly weapons were found in a suspicious circumstance on a public road presumably waiting to commit an offence. Petitioners were arrested on 14.09.2015.

4. Heard both sides.

5. Learned counsel for the petitioners submitted that they were arrested at the later point time and they have no connection with the crime.

6. Considering the stage of investigation and they

were in custody from 14.09.2015 onwards and also that the accused persons are involved in other crimes, 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