

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. 6301 of 2015 ()

**CRIME NO. 405/2015 OF KUNNIKODE POLICE STATION,
KOLLAM DISTRICT**

PETITIONERS/ACCUSED NO.2 TO 5 :

1. VAHID @ ALID, AGED 27 YEARS,
S/O. ABDUL REHMAN, KUZHIVILA THADATHIL VEEDU,
PULIMUKKU, KUNNIKODE, VILAKKUDY VILLAGE.
2. SIDDIQUE, AGED 30 YEARS,
S/O. MUHAMMED HANEEFA, THEKKETHIL PUTHEN VEEDU,
PULIMUKKU, KUNNIKODE, VILAKKUDY VILLAGE.
3. SHARAFUDEEN, AGED 27 YEARS,
S/O. JALALUDEEN, SHABNA MANZIL, PACHILA VEEDU,
KUNNIKODE, VILAKKUDY VILLAGE.
4. ARSHAD, AGED 25 YEARS,
S/O. THAHAKUTTI, ARSHA MANZIL, PULIMUKKU
KUNNIKODE, VILAKKUDY VILLAGE.

BY ADV. SRI.R.KRISHNAKUMAR (CHERTHALA)

RESPONDENTS/STATE & COMPLAINANT :

1. STATE OF KERALA
REPRESENTED BY SUB INSPECTOR OF POLICE,
(CRIME NO.405/2015), KUNNIKODE POLICE STATION,
KUNNIKODE, KOLLAM DISTRICT
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.
2. SURENDRAN, AGED 53 YEARS,
S/O. RAVEENDRAN, VISHNULAL BHAVAN,
CHAPPATHU MUKKU, MELILA EAST MURI,
MELILA VILLAGE, KOLLAM DISTRICT-691 508.

R1 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:**

bp

A.HARIPRASAD, J.

B.A. No.6301 of 2015

Dated this the 15th day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Accused in Crime No.405 of 2015 of Kunnikode Police Station seek pre-arrest bail. The offences alleged are under Sections 143, 147, 148, 294(b), 323, 324, 308, 452 and 427 read with Section 149 of the Indian Penal Code.

3. Prosecution allegation is that due to previous hostility petitioners along with first accused on 20.03.2015 trespassed into the shop of the defacto complainant and the first accused attacked him with a rafter. He sustained injuries.

4. Heard both sides.

5. Learned counsel for the petitioners submitted that the matter is almost settled.

I have perused the case diary. The wound certificate reveals only trivial injuries. Further, there is no allegation against the petitioners that they used any weapon. Therefore the following orders:

i. In the event of arrest in Crime No.405 of 2015 of

Kunnikode 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 petitioners as if no order is passed.

A. HARIPRASAD, JUDGE.

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