

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. 6365 of 2015

CRIME NO. 1448/2015 OF NEDUPUZHA POLICE STATION , THRISSUR DISTRICT

PETITIONER(S)/ACCUSED NO 1,3 AND 5 :

- 1. JAYAN, AGED 35 YEARS,
S/O.KUMARAN, EDAKKATTIL HOUSE, ANAKALLU DESOM,
AVINISSERY, THRISSUR.**
- 2. ROSHIN, AGED 35 YEARS,
S/O.JOSE, MECHERY HOUSE, PADAVAKKAD,
MARATHAKKARA VILLAGE, THRISSUR.**
- 3. JAIMES ANTHONY, AGED 55 YEARS,
KANJIRATHINGAL HOUSE, KURIACHIRA, ANCHERY,
THRISSUR.**

**BY ADVS.SRI.E.VIJIN KARTHIK
SRI.P.V.JEEVESH**

RESPONDENT(S)/STATE :

**STATE OF KERALA,
CRIME NO.1448/2015 SI OF POLICE,
NEDUPUZHA POLICE STATION, THRISSUR,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-10-2015, ALONG WITH BA.NO.6508 OF 2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

A. HARIPRASAD, J.

Bail Appl. Nos.6365 & 6508 of 2015

Dated this the 15th day of October 2015

O R D E R

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

2. Accused nos.1,3 and 5 are the petitioners in B.A. No.6365 of 2015 and accused no.2 in B.A. No.6508 of 2015 in Crime No.1448 of 2015 of Nedupuzha Police station. They were involved in offences punishable under Secs.143, 147, 148, 323, 324, 325 and 308 read with Sec.149 of the Indian Penal Code. Prosecution case is that on 20.09.2015 at about 9.30 p.m., the accused persons, as members of an unlawful assembly, attempted to commit culpable homicide of the defacto complainant.

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

4. Learned counsel for the petitioners submitted that the 4th accused in this crime has been enlarged on bail as per order in B.A.No.6255 of 2015 dated 12.10.2015.

5. Learned Public Prosecutor opposed the bail

application of the 2nd accused contending that he is involved in nine other crimes including the proceedings under Sec.107 Cr.P.C. It is submitted that the 1st and 3rd accused were arrested on 21.09.2015 and the 5th accused was arrested on 22.09.2015.

Considering the nature of allegations and the facts and circumstances pertaining to the 2nd accused, I am not inclined to grant bail to him. Therefore B.A. No.6508 of 2015 is dismissed. B.A No.6365 of 2015 is allowed with the following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five 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 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 Nedupuzha 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

NS/15/10/2015

/ True Copy /
P.A. To Judge

Bail Appl. Nos.6365 &
6508 of 2015

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