

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

SATURDAY, THE 21ST DAY OF NOVEMBER 2015/30TH KARTHIKA, 1937

Bail Appl..No. 6780 of 2015

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CRIME NO. 1486/2015 OF ANCHALUMMOODU POLICE STATION ,
KOLLAM DISTRICT
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PETITIONER(S)/ACCUSED NOS. 3 TO 6 & 8:

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- 1. ANEESH, AGED 27 YEARS,
S/O.BABU, ABILASH BHAVANAM, INCHAVILA P.O., INCHAVILA,
KOLLAM.**
 - 2. ABILASH, AGED 26 YEARS,
S/O.BABU, ABILASH BHAVANAM, INCHAVILA P.O., INCHAVILA,
KOLLAM.**
 - 3. SATHESH, AGED 29 YEARS,
S/O.CHANDRAN PILLAI, SATHESH BHAVANAM,
INCHAVILAP.O., INCHAVILA, KOLLAM.**
 - 4. SANDHEEP @ ACHU, AGED 27 YEARS,
S/O.BALACHANDRAN PILLAI, KOTTOOR VADAKKATHIL,
INCHAVILA P.O., INCHAVILA, KOLLAM.**
 - 5. KOCHU VINU, AGED 28 YEARS,
S/O.UDAYABANU, MANEESH BHAVAN, INCHAVILA P.O., INCHAVILA,
KOLLAM.**

**BY ADVS.SRI.S.ABHILASH
SMT.RENY ANTO**

RESPONDENT(S) :

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STATE OF KERALA,
THROUGH THE SUB INSPECTOR OF POLICE,
ANCHALUMMOODU POLICE STATION, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A. HARIPRASAD, J.

B. A. No. 6780 of 2015

Dated this the 21st day of November, 2015

O R D E R

Application filed under Section 438 of the Code of Criminal Procedure.

2. The petitioners are accused Nos.3 to 6 and 8 in Crime No.1486/2015 of Anchalumoodu Police Station registered for offences punishable under Sections 143, 147, 148, 294(b), 452, 323, 324, 354, 427, 308 read with 149 IPC.

3. The prosecution case is that, on 03.10.2015 at 7.30 p.m. the accused persons as members of an unlawful assembly attacked the defacto complainant with granite pieces and caused injuries.

4. Heard both sides.

5. The learned counsel for the petitioners submitted that as per order in Bail Application No.6538/2015, this Court has granted anticipatory bail to the accused Nos. 1, 2 and 7.

6. The learned Public Prosecutor opposed the bail application contending that A3 and A4 (petitioners 1 and 2) used granite stones to cause injury and their custody is required for

recovery of the article used for operation.

7. Considering the nature of allegations, I am not inclined to grant pre-arrest bail to petitioners 1 and 2 (A3 and A4). Their application will stand dismissed. Insofar as, the petitioners 3 and 4 are considered, I am inclined to grant pre-arrest bail with the following conditions:

- (a) Petitioners 3 & 4 shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit themselves for interrogation. Thereafter, they shall be released on bail on their executing a bond for ₹25,000/- (Rupees Twenty Five Thousand Only) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
- (b) The petitioners 3 & 4 shall appear before the Investigating Officer as and when required for the purpose of interrogation.
- (c) The petitioners 3 & 4 shall co-operate with the investigation of the case.
- (d) The petitioners 3 & 4 shall not intimidate or

attempt to influence the witnesses.

- (e) The petitioners 3 & 4 shall not in any manner interfere or meddle with the investigation.
- (f) The petitioners 3 & 4 shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-

A. HARIPRASAD, JUDGE.

/true copy/

P. A. to Judge

Pn