

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

Bail Appl..No. 6828 of 2015 ()

CRIME NO. 837/2015 OF AYIROOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT

PETITIONER/ACCUSED 10, 11, 12 & 13 :

1. MANIKANDAN @ KANNAPPAN, AGED 44 YEARS
S/O.SUKUMARAN, NANDHU BHAVAN, MUTTAPALAM DESOM
VATTAPLAMOODU COLONY, CHEMMARUTHI VILLAGE, VARKALA.
2. AJILAL @ KITTU, AGED 26 YEARS
S/O.KESAVAN, MURINGAVILA VEEDU, MUTTAPALAM DESOM
VATTAPALAMOODU COLONY, CHEMMARUTHI VILLAGE,
VARKALA.
3. MANU, AGED 19 YEARS
S/O.RAMANAN, MURINGAVILA VEEDU, MUTTAPALAM DESOM
VATTAPLAMOODU COLONY, CHEMMARUTHI VILLAGE, VARKALA.
4. NITHIN @ PONNUMON, AGED 21 YEARS
S/O.UDAYAN, NITHIN BHAVAN, MUTTAPALAM DESOM
VATTAPLAMOODU COLONY, CHEMMARUTHI VILLAGE,
VARKALA.

BY ADV. SRI. P. ANOOP (MULAVANA)

RESPONDENT :

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERLA.

BY SR. PUBLIC PROSECUTOR SRI C. RASHEED

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

A. HARIPRASAD, J.

Bail Appl. No.6828 of 2015

Dated this the 2nd day of November 2015

O R D E R

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

2. Petitioners are accused nos.10 to 13 in Crime No.837 of 2015 of Ayiroor Police station registered for the offences punishable under Secs.143, 147, 148, 149, 324 and 302 of the Indian Penal Code and Sec.27 of the Arms Act. Prosecution case in short is that, on 25.06.2015 at about 6.00 p.m., due to previous enmity towards the deceased, the accused persons, as members of an unlawful assembly armed with weapons, attacked the defacto complainant with sword and caused serious injuries to him. Many of the accused used weapons and on account of the injuries the victim succumbed.

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

4. Learned Public Prosecutor submitted that

this is a dispute pertaining to dwellers of a colony. The petitioners were arrested on 27.08.2015.

Considering the stage of investigation, bail is granted to the petitioners with the following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.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.

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 lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioners shall appear before the Investigating Officer for interrogation on

all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioners shall not enter the limits of Ayiroor Police station except for complying with the conditions in the bail order for a period of two months.

vi. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

vii. 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

/ True Copy /