

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

Bail Appl..No. 6845 of 2015 ()

**-----
CRIME NO. 531/2015 OF PARIYARAM MEDICAL COLLEGE POLICE STATION.**

....

PETITIONER/ACCUSED NO.4:

**SADIQUE, AGED 27 YEARS,
KEERANDAKATHE HOUSE, PARIYARAM,
KAMBEDIKA, THALASSERY, KANNUR.**

**BY ADVS. SRI.LAL K.JOSEPH,
SRI.A.A.ZIYAD RAHMAN,
SRI.V.S.SHIRAZ BAVA,
SRI.K.H.ANSAR.**

RESPONDENTS/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI-31.**
- 2. STATION HOUSE OFFICER,
PARIYARAM POLICE STATION, KANNUR-671 710.**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A No.6845 of 2015

Dated this the 3rd day of November, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the fourth accused in Crime No.531/2015 of Pariyaram Medical College Police Station registered for offences punishable under Sections 143, 147, 148, 307, 333, 342, 341 and 379 r/w Section 149 I.P.C and Section 20 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001.

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

4. Prosecution case, in short, is that on 16-05-2015, at about 5.35 hours, the accused persons as members of unlawful assembly, attacked the Sub Inspector of Pariyaram Police Station, who intercepted the vehicle which transported stolen river sand. The Sub Inspector sustained very grave injuries in

the attack.

5. Learned Public Prosecutor opposed the bail application contending that the Sub Inspector was brutally attacked while he was discharging his official duty. Petitioner was arrested on 10-09-2015. Considering the stage of investigation and also the number of days in custody, I find that bail can be granted to this petitioner with following strict conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the

Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until the final report is filed.

4. The petitioner shall surrender his passport, if any. If he does not have a passport, he shall file an affidavit stating that fact before the learned Magistrate having jurisdiction.
5. The petitioner shall not indulge in any offence while on bail.
6. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

amk

P A to Judge