

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

Bail Appl..No. 6860 of 2015

**CRIME NO. 703/2015 OF ANCHUTHENGU POLICE STATION,
THIRUVANANTHAPURAM**

PETITIONER(S)/A1 TO A4:

1. ANWAR, AGED 37 YEARS,
S/O.BASHEER, ASEENA MANZIL, ARIVALOM,
VETTOOR P.O, VARKALA, THIRUVANANTHAPURAM.
2. ABIL, AGED 25 YEARS,
S/O.BASHEER, ASEENA MANZIL, ARIVALOM
VETTOOR P.O, VARKALA, THIRUVANANTHAPURAM.
3. RIYAD, AGED 37 YEARS,
S/O.ABDUL MANAF, KUZHIVILA VEEDU, RATHIKKAL,
VETTOOR, VARKALA, THIRUVANANTHAPURAM.
4. SAJEEV, AGED 35 YEARS,
S/O.MOHAMMED KHANI ALIYARU KUNJU,
115 (9/1301) THANNIVILA VEEDU, VILABHAGOM, VETTOOR,
VARKALA, THIRUVANANTHAPURAM.

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT(S)/STATE:

**STATE OF KERALA,
REPRESENTED THROUGH THE SUB INSPECTOR OF POLICE,
ANCHUTHENGU POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAN 682 031.**

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.6860 of 2015

Dated this the 13th day of November 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos. 1 to 4 in Crime No.703 of 2015 of Anchuthengu Police station registered for the offences punishable under Secs.447, 323, 324 and 506 read with Sec.34 of the Indian Penal Code and Sec.27 of the Arms Act. Prosecution case in brief is that, on 04.10.2015 while the defacto complainant was driving his car he received a phone call from his mother that the 1st accused was threatening her for executing a document. The defacto complainant immediately returned home and found the 1st accused pulling the nightie of her mother. In connection with this incident, a scuffle ensued.

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

4. Learned counsel for the petitioners submitted that neither the defacto complainant nor his mother sustained any injury in the incident. It is also

submitted Sec.27 of the Arms Act is falsely implicated and there is no ingredient to establish an offence under Sec.354 IPC in this incident.

Considering the nature of allegations, pre arrest bail is granted to the petitioners with the following conditions.

1. The petitioners shall surrender before the investigating officer within a period of two weeks and submit themselves for interrogation.

2. In the event of arrest, the petitioners shall be released 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 investigating officer.

3. The petitioners shall appear before the Investigating Officer for interrogation as and when directed by him in writing.

4. The petitioners shall not intimidate or

attempt to influence the witnesses, nor shall they tamper with the evidence.

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 /

NS/13/11/2015

P.A. To Judge