

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

Bail Appl..No. 6889 of 2015

CRIME NO. 143/2015 OF ALATHUR POLICE STATION , PALAKKAD DIVISION

PETITIONER(S)/ACCUSED 1 TO 5 :

- 1. NASAR, AGED 48 YEARS,
S/O.ABDULLA, POOVATHINGAL HOUSE, PALAPPURAM AMSOM,
OTTAPPALAM VILLAGE, PALAKKAD DISTRICT.**
- 2. RAFEEQ, AGED 45 YEARS,
S/O.ABDULLA, POOVATHINGAL HOUSE, PALAPPURAM AMSOM,
OTTAPPALAM VILLAGE, PALAKKAD DISTRICT.**
- 3. BABU @ SHAMSUDEEN, AGED 43 YEARS,
S/O.ABDULLA, POOVATHINGAL HOUSE, PALAPPURAM AMSOM,
OTTAPPALAM VILLAGE, PALAKKAD DISTRICT.**
- 4. MANI @ SHARAFUDHEEN, AGED 42 YEARS,
S/O.ABDULLA, POOVATHINGAL HOUSE, PALAPPURAM AMSOM,
OTTAPPALAM VILLAGE, PALAKKAD DISTRICT.**
- 5. KASIM, AGED 55 YEARS,
S/O.KUNJAPPU, PONNANKAYIL, PALAPPURAM AMSOM,
OTTAPALAM, PALAKKAD DISTRICT.**

**BY ADVS.SRI.P.P.THAJUDEEN
SRI.MANSOOR.B.H.**

RESPONDENT(S)/COMPLAINANT/STATE :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
THROUGH STATION HOUSE OFFICER,
ALATHUR POLICE STATION, PALAKKAD- 682 031.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A. HARIPRASAD, J.

Bail Appl. No.6889 of 2015

Dated this the 16th 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 5 in Crime No.143 of 2015 of Alathur Police station registered for the offences punishable under Secs.143, 147, 148, 324, 341, 452 and 506(i) read with Sec.149 of the Indian Penal Code. Prosecution case is that on 20.01.2015 at about 5.30 p.m., the accused persons trespassed into the courtyard of the defacto complainant and attacked him with iron rod causing injuries to him.

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

4. Learned counsel for the petitioners submitted that petitioners 1 to 4 are the maternal uncles of the defacto complainant's wife and the 5th petitioner is her paternal uncle. The dispute between the defacto complainant and his wife was attempted to be resolved by

the petitioners and a false case is registered.

5. Learned Public Prosecutor submitted that there is a counter case in connection with the incident.

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

1. In the event of arrest in Crime No.143 of 2015 of Alathur Police station, 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 making the arrest.

2. They shall appear before the Investigating Officer for interrogation as and when directed by him in writing.

3. They 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

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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/16/11/2015

P.A. To Judge