

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 6TH DAY OF NOVEMBER 2015/15TH KARTHIKA, 1937

Bail Appl..No. 6900 of 2015 ()

CRIME NO. 1497/2015 OF CANTONMENT POLICE STATION, THIRUVANANTHAPURAM

PETITIONER:2ND ACCUSED: (PARTY IN CUSTODY) :

**VIKAS GOVIND,
AGED 19, S/O. GOVINDA PILLAI, MALARVADI VEEDU
ANCHUTHENGINMOODU DESOM, KULATHUMMAL VILLAGE.**

BY ADV. SRI.M.SREEKUMAR

RESPONDENT/STATE :

**STATE OF KERALA,
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 06-11-2015,
ALONG WITH BA NO. 6909/2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.Nos.6900 & 6909 of 2015

Dated this the 6th day of November, 2015

COMMON ORDER

Applications filed under Section 439 of the Code of Criminal Procedure.

2. Petitioners are the accused in Crime No.1497 of 2015 of Cantonment Police Station registered for the offences punishable under Sections 143, 147, 148, 283, 323, 353, 332 and 427 r/w Section 149 of the Indian Penal Code, Section 3(2) e of the Prevention of Damage to Public Property Act, Sections 3 and 5 of the Explosive Substance Act and Section 39 r/w Section 121 of Kerala Police Act.

3. Prosecution case is that on 28.09.2015 at about 12.15 p.m., about 200 persons including the petitioner formed themselves into an unlawful assembly in front of the Government Secretariat, Thiruvananthapuram and attacked to the Police officers. They caused damage to the Police wireless set and bus and further they destroyed 8 barricades.

4. Heard both sides.

5. Learned Public Prosecutor opposed the bail

application.

6. Learned counsel for the petitioners submitted that the petitioners are students. Student politics turning into violence has become a menace. Therefore, some strong measures will have to be taken to prevent the destruction of public property.

7. Considering the nature of allegations, I am inclined to grant bail to the petitioners with the following conditions:

- (a) The petitioners shall be released on bail on their executing a bond for ₹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.
- (b) The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on solvency certificate, but other documents can also be

perused to find out whether the sureties are solvent or not.

- (c) Apart from the above said two sureties, either of the parents shall be an additional sureties for the said amount.
- (d) Each petitioners shall deposit ₹25,000/- (Rupees twenty five thousand only) within a period one week from the date of release in the court of the Magistrate concerned.
- (e) The petitioners shall appear before the Investigating Officer on all Saturdays and Sundays between 09.00 a.m and 10.00 a.m. until the final report is filed.
- (f) The petitioners shall not intimidate or attempt to influence the witnesses.
- (g) The petitioners shall not in any manner interfere or meddle with the investigation.
- (h) The petitioners shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is not fulfilled or 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.

AS

/True copy/

P.A. to Judge