

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

Bail Appl..No. 6931 of 2015 ()

CRIME NO. 1029/2015 OF NEYYATTINKARA POLICE STATION.

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PETITIONERS/ACCUSED NOS.2 TO 4:-:

1. REJITH, S/O.MANIKANTAN, AGED 36 YEARS,
PALAKUNNATHU EDATHATTU VEEDU,
KAMUKIN KODE, ATHIYANNOOR VILLAGE,
SABARIMUTTOM, KODANGAVILA.
2. PRAMOD, S/O.MANIKANTAN, AGED 38 YEARS,
PALAKUNNATHU EDATHATTU VEEDU,
KAMUKIN KODE, ATHIYANNOOR VILLAGE,
SABARIMUTTOM, KODANGAVILA.
3. RAMESHAN, AGED 47 YEARS,
PALAKUNNATHU EDATHATTU VEEDU,
KAMUKIN KODE, ATHIYANNOOR VILLAGE,
SABARIMUTTOM, KODANGAVILA.

BY ADV. SRI.R.GOPAN.

RESPONDENTS/COMPLAINANTS:-

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.
2. SUB INSPECTOR OF POLICE,
NEYYATTINKARA POLICE STATION,
THIRUVANANTHAPURAM (RURAL), PIN-695 121.

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A.No.6931 of 2015

Dated this the 20th day of November, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused Nos.2 and 4 in Crime No.1029 of 2015 of Neyyattinkara Police Station registered for the offences punishable under Sections 452, 204(b), 427, 323 & 308 r/w Section 34 of the Indian Penal Code.

3. Prosecution case is that on 28.06.2015 at about 06.00 p.m., the accused persons trespassed into the house of the defacto complainant. The first accused attacked the defacto complainant with an iron rod. Other accused caused damage to chairs and T.V. kept in the house.

4. Heard both sides.

5. Learned counsel for the petitioners contended that another case is registered at the instance of the petitioner for the reason that the defacto complainant's party attacked him.

6. Learned Public Prosecutor also submitted that there is a case and counter case in respect of the incident. There is no allegation that the petitioners have used any weapon in the incident.

7. Considering the nature of the allegations, the following directions are issued:

- (a) In the event of arrest in Crime No.1029 of 2015 of Neyyattinkara Police Station, the petitioners shall be released on bail on executing a bond for ₹25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
- (b) The petitioners shall appear before the Investigating Officer as and when directed for the purpose of interrogation.
- (c) The petitioners shall co-operate with the investigation of the case.
- (d) The petitioners shall not intimidate or

attempt to influence the witnesses.

- (e) The petitioners shall not in any manner interfere or meddle with the investigation.
- (f) The petitioners shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is 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