

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

Bail Appl..No. 6979 of 2015 ()

CRIME NO. 490/2015 OF VELLATHOOVAL POLICE STATION, IDUKKI

PETITIONER/ACCUSED NO.4 :

**JAMES M.C.,
AGED 55 YEARS, S/O.CHACKO,
MALKKUZHIYIL HOUSE, MANKUVA P.O.,
KONNATHADY VILLAGE, IDUKKI-685562.**

BY ADV. SRI.S.JIJI

RESPONDENT/STATE :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26-11-2015,
ALONG WITH BA. NO. 7112/2015 & BA NO. 7510/2015, THE COURT ON THE
SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.Nos.6979, 7112 & 7510 of 2015

Dated this the 26th day of November, 2015

ORDER

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

2. Petitioners are accused Nos.1, 2 to 4, 6 and 7 in Crime No.490 of 2015 of Vallathooval Police Station registered for the offences punishable under Sections 143 147, 294(b), 341, 506(i) and 353 r/w Section 149 of the Indian Penal Code and Section 57 of the Kerala Police Act, 1960.

3. Prosecution case is that on 28.10.2015 at about 04.00 p.m., the petitioner along with other accused persons stopped a Government vehicle in which the defacto complainant and other officers posted for election duty travelled. They abused them in filthy language and threatened to kill them. They obstructed their official duty .

4. Heard both sides.

5. Learned counsel for the petitioners submitted

that they have not done any offence as alleged. One of the accused is a School teacher. A certificate is produced to show that he was attending the School at that time of the alleged incident.

6. Learned Public Prosecutor produced a statement of the Headmaster who issued the certificate stating that he issued the same without understanding the consequence of his action, exhibiting his callousness.

7. Considering the nature of the allegations, I think that custodial interrogation of the petitioners may not be necessary. Hence, the following directions are issued:

- (a) The petitioners shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit themselves for interrogation. Thereafter, they 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 on all Saturdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (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.

AS

Sd/-
A.HARIPRASAD, JUDGE.
/True Copy/

P.A. To Judge