

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937**

**Bail Appl..No. 7082 of 2015**  
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**CRIME NO. 1050/2015 OF ERNAKULAM TOWN SOUTH POLICE STATION, ERNAKULAM.**  
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**PETITIONER(S)/ACCUSED 2 TO 6:**  
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1. ABDULKHADIR P.M., AGED 53 YEARS,  
S/O.MUHAMMED, PATTAZHAPURA HOUSE,  
PERUMBAVOOR P.O 683542, ERNAKULAM DIST.
2. SAJITH T.S. KUMAR, AGED 36 YEARS,  
S/O.K.SASEENDRAN, THANDATHIL HOUSE,  
KOOVAPPADY P.O - 683544, PERUMBAVOOR,  
ERNAKULAM DIST.
3. P.T. RAJEEV, AGED 42 YEARS, S/O.P.K.THANKAPPAN,  
PARAMBATHUKUDY HOUSE, NAYATHODU P.O,  
ANKAMALY, ERNAKULAM DIST.
4. K.A. NAJIMUDEEN, AGED 38 YEARS, S/O.MYDHEEN ADIMA,  
KANAPARAMBIL HOUSE, MANEESHA EACHANANGATTU LANE,  
DESHABHIMANI ROAD, ERAKULAM DIST.
5. P.K. RAJEEV, AGED 43 YEARS, S/O.P.P.KUNJAPPAN,  
PALASSERRY, EDAVANAKKAD P.O -682 502,  
ERNAKULAM DIST.

**BY ADVS.SRI.T.P.PRADEEP  
SRI.P.K.SATHEES KUMAR**

**RESPONDENT(S)/COMPLAINANTS:**  
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1. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA.
2. SUB INSPECTOR OF POLICE,  
ERNAKULAM TOWN SOUTH POLICE STATION - 682 018.

**BY PUBLIC PROSECUTOR SMT.R.REMA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 17-11-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**mbr/**

**A. HARIPRASAD, J.**

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**Bail Appl. No.7082 of 2015**  
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**Dated this the 17<sup>th</sup> day of November 2015**

**O R D E R**

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

2. Petitioners are accused nos.2 to 6 in Crime No.1050 of 2015 of Ernakulam Town South Police station registered for the offences punishable under Secs.143, 147, 148, 448, 457 and 149 of the Indian Penal Code and Sec.3 and 4 of the Prevention of Damage to Public Property Act. Prosecution case in short is that, the accused persons under the leadership of the 1<sup>st</sup> accused formed themselves into an unlawful assembly and on 04.09.2015 at about 1.20 p.m., they entered into the office of the K.U.R.T.C. and thereafter destroyed the furniture causing a loss of Rs.5,000/- (Rupees five thousand only).

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

4. Learned counsel for the petitioners submitted that as per order in B.A. No.6016 of 2015

dated 08.10.2015 the 1<sup>st</sup> accused has ordered to be released on pre arrest bail. It is also submitted that this Court has directed him to deposit Rs.5,000/- (Rupees five thousand only).

Considering the nature of allegations and to do justice between the parties, following directions are issued.

1. The petitioners shall surrender before the investigating officer within a period of one week 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 deposit Rs.1,000/- (Rupees one thousand only) each within three days from the date of release on bail before the

learned Magistrate having jurisdiction.

4. The petitioners shall appear before the Investigating Officer for interrogation as and when directed to do so in writing.

5. 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/17/11/2015

P.A. To Judge