

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

Bail Appl..No. 7101 of 2015

**CRIME NO. 837/2015 OF AYIROOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**
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PETITIONER(S)/ACCUSED 1 TO 8:

1. PRABHAKARAN, AGED 43 YEARS,
S/O. CHELLAPPAN, PUTHUVAL VILA PUTHEN VEEDU,
MUTTAPALAM DESOM, VATTAPLAMOODU COLONY,
CHEMMARUTHI VILLAGE, VARKALA.
2. MANILAL @ KOCHALIYAN, AGED 19 YEARS,
S/O. MANIKANDAN, NANDHU BHAVAN,
MUTTAPALAM DESOM, VATTAPLAMOODU COLONY,
CHEMMARUTHI VILLAGE, VARKALA.
3. MANU, AGED 34 YEARS, S/O. BABU,
LEKSHMI LAND, MUTTAPALAM DESOM,
VATTAPLAMOODU COLONY, CHEMMAUTHI VILLAGE,
VARKALA.
4. PRAVEEN @ ACHU, AGED 20 YEARS,
S/O.PRABHAKARAN, PUTHUVAL VILA PUTHEN VEEDU,
MUTTAPALAM DESOM, VATTAPLAMOODU COLONY,
CHEMMARUTHI VILLAGE, VARKALA.
5. PRATHEESH @ VAVA, AGED 19 YEARS,
S/O.PRABHAKARAN, PUTHUVAL VILA PUTHEN VEEDU,
MUTTAPALAM DESOM, VATTAPLAMOODU COLONY,
CHEMMARUTHI VILLAGE, VARKALA.
6. SUDHIN @ AZHAKAN, AGED 19 YEARS,
S/O. LOHITHAN, SUDHINA VILASOM,
MUTTAPALAM DESOM, VATTAPLAMOODU COLONY,
CHEMMARUTHI VILLAGE, VARKALA.
7. MANOJ, AGED 37 YEARS, S/O. BABU,
MANOJ VILASOM, MUTTAPALAM DESOM,
VATTAPLAMOODU COLONY, CHEMMARUTHI VILLAGE,
VARKALA.

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8. LOHITHAN, AGED 53 YEARS, S/O. SUKUMARAN,
SUDHINA VILASOM, MUTTAPALAM DESOM,
VATTAPLAMOODU COLONY,
CHEMMARUTHI VILLAGE, VARKALA.

BY ADV. SRI.P.ANOOP (MULAVANA)

RESPONDENT:

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

BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

mbr/

A. HARIPRASAD, J.

Bail Appl. No.7101 of 2015

Dated this the 18th day of November 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioners are accused nos.1 to 8 in Crime Nos.837 of 2015 of Ayiroor Police station registered for the offences punishable under Secs.143, 147, 148, 149, 324 and 302 of the Indian Penal Code and Sec.27 of the Arms Act. Prosecution case is that on 25.06.2015 at about 6.00 p.m., the petitioners, due to previous enmity, attacked the deceased and one of his relatives with sword and other lethal weapons and inflicted serious injuries on the deceased.

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

4. Learned counsel for the petitioners submitted that the petitioners are in custody for a long time and bail may be granted to them.

5. Learned Public Prosecutor submitted that investigation has advanced to a considerable extent.

Considering nature of allegations and the fact that investigation has advanced to a considerable extent, bail is granted to the petitioners with the following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.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.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioners shall appear before the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m.

and 11.00 a.m. until final report is filed.

v. The petitioners shall surrender their passports before the lower court concerned or if they do not have the same, file affidavits to that effect.

vi. The petitioners shall not leave the limits of Thiruvananthapuram District without obtaining permission from the learned Magistrate.

vii. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

viii. The petitioners shall not involve in any other offence during the period of bail.

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 /
P.A. To Judge