

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. 7143 of 2015 ()

CRIME NO. 1082/2015 OF ALATHUR POLICE STATION,PALAKKAD DISTRICT

PETITIONER(S)/ACCUSED:

1. KRISHNANKUTTY,S/O.MADHAVAN, AGED 42 YEARS,
AMBALAKKAD, THONIPADAM,
ALATHUR TALUK, PALAKKAD DISTRICT.
2. GOPALAN, S/O.THEYAN, AGED 55 YEARS,
KUNDUPARAMBU, VAVULLIYAPURAM,
ALATHUR TALUK, PALAKKAD DISTRICT.
3. SULAIMAN, S/O.IBRAHIM,AGED 55 YEARS,
AMBALAKKAD, THONIPADAM,
ALATHUR TALUK, PALAKKAD DISTRICT.
4. PRASAD, S/O.KRISHNANKUTTY,AGED 24 YEARS,
PADATHU HOUSE, VAVULLIYAPURAM,
ALATHUR TALUK, PALAKKAD DISTRICT.
5. MANIKKAN, S/O.MALLAYI, AGED 60 YEARS,
CHIRAKKODE HOUSE, KUNDUKAD,
ALATHUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.BABY MATHEW

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. SUB INSPECTOR OF POLICE,
ALATHUR POLICE STATION, PALAKKAD DISTRICT.

BY SR 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:**

sts

A.HARIPRASAD, J.

B.A.No.7143 of 2015

Dated this the 18th day of November, 2015

ORDER

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

2. Petitioners are accused Nos.1 to 5 in Crime No.1082 of 2015 of Alathur Police Station registered for the offences punishable under Sections 143, 147, 148, 323, 324 and 308 r/w Section 149 of the Indian Penal Code.

3. Prosecution case is that on 18.09.2015 at about 09.00 p.m., the accused formed themselves into an unlawful assembly and attacked the defacto complainant due to political enmity.

4. Heard both sides.

5. The materials in the case diary *prima facie* show that the offence under Section 308 IPC is not attracted.

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

(a) 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 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