

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

Bail Appl..No. 7147 of 2015 ()

CRIME NO. 1609/2015 OF TIRUR POLICE STATION, MALAPPURAM DISTRICT.

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APPLICANTS/ACCUSED:

- 1. VENUGOPAL, AGED 50 YEARS,
S/O. GOPALAKRISHNA MENON, THYKANDIYIL HOUSE,
PACHATTIRI P.O, TIRUR, MALAPPURAM DISTRICT.**
- 2. MOIDEEN BAVA, AGED 53 YEARS,
S/O. MUHAMMED (LATE), VATTAPARAMBIL HOUSE,
KATTACHIRA, B.P.ANGADI-P.O., TIRUR,
MALAPPURAM DISTRICT.**
- 3. ANEESH, AGED 44 YEARS,
S/O. KRISHNAN, PARAMBIL HOUSE,
MANGATTIRI P.O., TIRUR, MALAPPURAM DISTRICT.**
- 4. SABEER ALI, AGED 30 YEARS,
S/O.MOIDEEN BAVA, VATTAPARAMBIL HOUSE,
KATTACHIRA, B.P.ANGADI-P.O., TIRUR,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.VENUGOPAL,
SMT.T.J.MARIA GORETTI.**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031,
(REPRESENTING S.I. OF POLICE,
TIRUR POLICE STATION- CRIME NO.1609/2015).**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A.No.7147 of 2015

Dated this the 8th day of December, 2015

ORDER

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

2. Petitioners are accused in Crime No.1609 of 2015 of Tirur Police Station registered for the offences punishable under Sections 143, 147, 148, 341, 326, 294 (b), 506 and 326 r/w Section 149 of the Indian Penal Code.

3. Prosecution case is that on 20.10.2015 at about 10.30 p.m., the petitioners along with other accused persons restrained the defacto complainant and other persons. Thereafter, they beat them with sticks and sugar cane. One of the injured sustained nasal bone fracture, others sustained injuries.

4. Heard both sides.

5. Learned counsel for the petitioners submitted that there is a counter case in respect of this incident. The dispute was between two sets of cable TV operators.

6. Considering the nature of the allegations and the nature and gravity of the injury, I am inclined to grant

bail to the petitioners with the following conditions:

- (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.

Sd/-

A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. To Judge