

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

Bail Appl..No. 7151 of 2015 ()

CRIME NO. 1124/2015 OF KATTAPPANA POLICE STATION, IDUKKI DISTRICT

PETITIONERS/ACCUSED NOS. 1, 4, 5, 6, 7 & 8 :

1. **SURESH**
AGED 44 YEARS, S/O. GOPALAN
KARICKAMATTATHIL HOUSE
ANAKUTHY KARA, IDUKKI DISTRICT.
2. **BIJU**
AGED 36 YEARS, S/O. VIJAYAN
ONAVAYALIL HOUSE, ANAKUTHY KARA,
IDUKKI DISTRICT.
3. **AKKAN @ SAJI**
AGED 45 YEARS, S/O. SIVARAMAN
CHERUVIL HOUSE, KOCHUTHOVALA
IDUKKI DISTRICT.
4. **SHIJIMON @ SHIJU**
AGED 20 YEARS, S/O. THANKACHAN
KODOOR HOUSE, KOCHUTHOALA
IDUKKI DISTRICT.
5. **RAJESH @ LATHEESH**
AGED 31 YEARS, S/O. JANARDHANAN
PANACHITHURUTHIL, PANPADUMPARA
IDUKKI DISTRICT.
6. **PRINCE @ AJITH**
AGED 24 YEARS, S/O. SUNNY
CHEMMARAPALLIL HOUSE, ANAKUTHY
IDUKKI DISTRICT.

BY SENIOR ADVOCATE SRI.GRASHIOUS KURIAKOSE
BY ADV. SRI.GEORGE MATHEWS

RESPONDENTS/COMPLAINANT & DEFACTO COMPLAINANT :

1. STATE OF KERALA
STATION HOUSE OFFICER
KATTAPPANA POLICE STATION
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.
2. ANEESH
S/O. MICHEAL, AGED 34 YEARS
PUTHETTU HOUSE, ANAKUTHY
KOCHUTHOVALA, KATTAPPANA
IDUKKI DISTRICT – 685 508.

R1 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

A.HARIPRASAD, J.

B.A.No.7151 of 2015

Dated this the 20th day of November, 2015

ORDER

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

2. Petitioners are accused Nos.1, 4 to 8 in Crime No.1124 of 2015 of Kattappana Police Station registered for the offences punishable under Sections 143, 144, 147, 148, 452, 294(b), 323, 324 & 326 r/w Section 149 of the Indian Penal Code.

3. Prosecution case is that on 28.08.2015 at about 08.45 p.m., the accused as members of an unlawful assembly armed with deadly weapons abused and attacked the defacto complainant causing injuries.

4. Heard learned Senior counsel for the petitioners and the learned Public Prosecutor.

5. Learned Senior counsel for the petitioners submitted that there is a counter case to this incident which is numbered as Crime No.1125 of 2015 of the same Police Station. Both matters have been settled between

the parties.

6. Learned Public Prosecutor submitted that as such the prosecution has no instruction regarding the settlement.

7. Considering the facts and circumstances, 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 ₹50,000/- (Rupees fifty 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