

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

Bail Appl..No. 7199 of 2015

CRIME NO. 1922/2015 OF KUTHUPARAMBA POLICE STATION, KANNUR

PETITIONER(S)/ACCUSED NO.1 & 2:

1. JIJO PALAPRAMBA, AGED 32 YEARS,
S/O.SIVADASAN, SIVAGEETH, LAKSHAM VEEDU COLONY,
PALAPARAMBA, KUTHUPARAMBA PO, KANNUR DISTRICT.
2. RASHEED, AGED 43 YEARS,
S/O.IBRAHIM, FATHIMATH HOUSE, KUTHUPARAMBA
KANNUR DISTRICT.

**BY ADVS.SRI.K.SIJU
SMT.S.SEETHA**

RESPONDENT(S):

**STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
KUTHUPARAMBA POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A No.7199 of 2015

Dated this the 23rd day of November, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioners are accused Nos.1 and 2 in Crime No.1922 of 2015 of Koothuparamba Police Station registered for offences punishable under Sections

3. Prosecution case, in short, is that on 17-10-2015 at about 8.00 p.m., five accused persons wrongfully restrained the defacto complainant and assaulted him with an iron rod.

4. Heard the learned counsel for the petitioners and the learned Public Prosecutor. Perused the materials in the case diary. Wound certificate in the case diary shows that the defacto complainant sustained only trivial injuries in the incident.

5. Considering the nature of allegations, I find that bail can be granted to the petitioners with following directions :

1. Petitioners shall surrender before the investigating officer within a period of two

weeks from today and submit themselves for interrogation. In that event, they shall be released on bail on executing a bond for Rs.25,000/- each (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

2. The sureties shall produce documents to establish their identity and solvency. The Investigating Officer need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. Petitioners shall appear before the Investigating Officer as and when directed.
4. Petitioners shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioners, the learned Magistrate having jurisdiction is free to cancel the bail.

**A.HARIPRASAD,
JUDGE.**