

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

Bail Appl..No. 7227 of 2015 ()

CRIME NO. 961/2015 OF KOLAVALLUR POLICE STATION, KANNUR

PETITIONERS/ACCUSED 1 & 2 TO 5:

- 1. MUHAMMED A.C., AGED 44 YEARS,
S/O.KUNHABDULLA, A.C.HOUSE, TRIPPANGOTTU AMSOM
KADAVATHOOR P.O., KANNUR DISTRICT.**
- 2. ABDUL NAZAR P, AGED 40 YEARS
S/O.ABOOBACKER, PUTHALATH HOUSE, TRIPPANGOTTU AMSOM
KADAVATHOOR P.O., KANNUR DISTRICT.**
- 3. LATHEEF, AGED 34 YEARS
S/O.ISMAIL, NERIKKOOTUNGAL HOUSE, TRIPPANGOTTU AMSOM
KADAVATHOOR P.O., KANNUR DISTRICT.**
- 4. MUHAMMED, AGED 34 YEARS,
S/O.MOIDU, KANNOL HOUSE, TRIPPANGOTTU AMSOM
KADAVATHOOR P.O., KANNUR DISTRICT.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENTS& STATE :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.(CRIME NO.961/2015
KOLAVALLUR POLICE STATION, KANNUR DISTRICT.).**
- 2. THE STATION HOUSE OFFICER,
KOLAVALLUR POLICE STATION,
KANNUR DISTRICT.(CRIME NO.961/2015
KOLAVALLUR POLICE STATION, KANNUR DISTRICT.).**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.7227 of 2015

Dated this the 26th day of November, 2015

ORDER

Application for pre-arrest bail under Section 438 Cr.PC.

2. Petitioners are accused Nos.1, 3, 5 and 4 respectively in Crime No.961 of 2015 of Kolavallur Police Station registered for offences punishable under Sections 143, 147, 148, 341, 323, 324, 427 and 308 r/w Section 149 I.P.C.

3. Learned counsel for the petitioners submitted that a dispute arose after declaration of result of the Panchayath election. There is a counter case registered in connection with the incident as Crime No.965/2015 of the same police station.

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

5. The defacto complainant sustained very minor injuries in the incident. Except the offence under Section 308 I.P.C all others are bailable. 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.

amk

**Sd/-
A.HARIPRASAD,
JUDGE.**

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P.A to Judge