

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

Bail Appl..No. 7232 of 2015 ()

**CRIME NO. 985/2015 OF CANTONMENT POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/6TH ACCUSED (PARTY IN CUSTODY) :

**ARUN, AGED 19 YEARS, S/O.AJI,
CHENNANPARA PUTHEN VEEDU, ANAVOOR DESOM,
KUNNATHUKAL VILLAGE.**

BY ADV. SRI.M.SREEKUMAR

RESPONDENT/STATE :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A.No.7232 of 2015

Dated this the 16th day of November, 2015

O R D E R

Applications filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the 6th accused in Crime No.985 of 2015 of Cantonment Police Station registered for the offences punishable under Sections 143, 147, 148, 283, 333, 353 & 332 r/w Section 149 of the Indian Penal Code, Section 3(1) of the Prevention of Damage to Public Property Act, Sections 3 and 5 of the Explosive Substance Act and Section 39 r/w Section 121 of Kerala Police Act.

3. Prosecution case is that on 06.07.2015 at about 11.15 a.m., about 100 SFI activists identifiable on sight formed themselves into an unlawful assembly under the leadership of accused Nos.1 to 12 and they took out a march through a public road causing traffic obstruction. Further, they attacked the Police officers on duty and damaged a Government vehicle by using petrol bombs and other explosives.

4. Heard both sides.

5. Learned Public Prosecutor submitted that the petitioner is involved in 2 other cases.

6. Learned counsel for the petitioner submitted the petitioner is in custody from 14.10.2015.

7. Considering the facts and circumstances and nature of allegations, I am inclined to grant bail to the petitioner with the following strict conditions:

- (a) The petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) Apart from the above said two sureties, either of the parents shall be an additional surety for the said amount.

- (d) The petitioner shall deposit ₹25,000/- (Rupees twenty five thousand only) before the Magistrate having jurisdiction within a period one week from the date of release.
- (e) The petitioner shall appear before the Investigating Officer on all Saturdays and Sundays between 09.00 a.m and 10.00 a.m. until the final report is filed.
- (f) The petitioner shall not intimidate or attempt to influence the witnesses.
- (g) The petitioner shall not in any manner interfere or meddle with the investigation.
- (h) The petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is not fulfilled or 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