

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

Bail Appl..No. 7318 of 2015 ()

**CRIME NO. 1264/2015 OF CHAVAKKAD POLICE STATION,
TRISSUR DISTRICT**

PETITIONER/ACCUSED :

- 1. SAINUL ABID, AGED 25 YEARS,
S/O. SAINUDHEEN, NALAKATH MANJIYIL HOUSE, PAVARATTY
PUTHUMANASSERY DESOM, TRICHUR DISTRICT.**
- 2. SIDDIQUE, AGED 39 YEARS,
S/O. ABDULLAKUTTY, NALAKATH PADUVINKIL HOUSE, PAVARATTY
PUTHUMANASSERY DESOM , TRICHUR DISTRICT.**

**BY ADVS.SRI.VINAY RAMDAS
SRI.VISHNUPRASAD NAIR**

RESPONDENT/STATE :

**STATE OF KERALA
REPRESENTED BY THE DEPUTY SUPERINTENDENT OF POLICE
DISTRICT CRIME BRANCH JR. RURAL (TRICHUR DISTRICT)
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY SENIOR PUBLIC PROSECUTOR SRI. C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.7318 of 2015

Dated this the 27th day of November, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Accused 7 and 8 in Crime No.1264 of 2015 of Chavakkad Police Station registered for offences punishable under Sections 341, 323, 324, 450, 452, 506(ii), 302, 201 and 212 read with Section 149 of the Indian Penal Code are the petitioners. They seek bail.

3. Accused persons nurtured enmity towards deceased Haneefa and on 07.08.2015 at 9.30 p.m., they formed themselves into an unlawful assembly, armed with weapons, attacked him. Accused 1 to 3 are the persons who are directly involved in the incident. Haneefa was stabbed with a knife which caused the death of him. Allegation against the petitioners is that they harbored the accused persons.

4. Heard both sides.

5. Learned Prosecutor submitted that the investigation has advanced to a considerable extent. It is also submitted that a charge has been filed before the Judicial First Class Magistrate Court, Chavakkad and the matter is pending in C.P.No.59 of 2015.

6. Learned counsel for the petitioners submitted that the petitioners remain in custody from 18.08.2015 onwards.

Considering the stage of the matter and the allegation against the petitioners, bail is granted to them with following conditions:

i. Petitioners shall be released on bail on each one of them executing a bond for ₹50,000/- (Rupees fifty only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioners shall appear before the committal court and before the trial court without fail.

iv. They shall not indulge in any offence while on bail.

v. They shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

vi. They shall not enter the limits of Chavakkad Police Station for a period of three months except for the purpose of appearing before the court.

If any of the above conditions is breached by the

petitioners, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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