

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

Bail Appl..No. 7297 of 2014 (B)

CRIME NO. 552/2014 OF PEERMADE POLICE STATION, IDUKKI

PETITIONERS/ACCUSED:

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1. DINESAN, AGED 42 YEARS
S/O. RAGHAVAN, KAVALAMPARAMBIL HOUSE, PEERMADE.
 2. V.S.PRASANNAN, AGED 40 YEARS
S/O. SREEKANTAN, VARIKKAL HOUSE, PEERMADE.
 3. RAJESH P. RAJAN, AGED 34 YEARS
S/O. T.K.RAJAN, PEZHUMPARAYIL HOUSE, KUTTIKKANAM.

BY ADVS. SRI.THOMAS ABRAHAM
SMT.MERCIAMMA MATHEW
SRI.ASWIN.P.JOHN
SRI.T.S.PRASANNAKUMAR

RESPONDENTS/CMPLAINANT:

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1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA-682031.
 2. SUB INSPECTOR OF POLICE
PEERMADE POLICE STATION, IDUKKI DISTRICT-685361.

BY PUBLIC PROSECUTOR SRI.JUSTIN JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
26-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B. A. No.7297 of 2014

Dated this the 26th day of May, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C for anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and the learned Public Prosecutor appearing for the respondents. C.D. produced.

3. The petitioners are accused 1 to 3 in Crime No.552 of 2014 of Peermade Police Station. The offences alleged are under Sections 143, 147, 332, 341 and 294(b) read with Section 149 of IPC and under Section 3(1) of the Prevention of Damage to Public Property Act. Learned counsel for the petitioners submits that the petitioners are innocent of the allegations raised against them. The investigation of the case is almost over. The custodial interrogation of the petitioners is not required in this case. He further submits that the petitioners apprehend arrest by the

police at any time.

4. The Case Diary shows that the investigation of the case has progressed much. The investigating agency does not have a case that the de facto complainant sustained any serious injury. Learned Public Prosecutor submits that the accused in this case caused damages to a police jeep to the tune of ₹ 3,300/-. On considering the facts and circumstances and the stage of the investigation, this Court is satisfied that the petitioners can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioners are granted anticipatory bail subject to the following conditions:

- 1) The petitioners shall deposit an amount of ₹ 3,300/- in the concerned Magistrate's Court on or before 02-06-2015. If the petitioners are acquitted of the concerned offence, they will be entitled to receive back the amount so deposited from the court. If they are convicted for such offence, the amount so deposited shall be at the disposal

of the concerned Magistrate.

- 2)The petitioners shall surrender before the Investigating Officer along with the receipt showing the deposit of the amount as directed in condition No.1, on or before 03-06-2015. In the event of their arrest, they shall be released on bail on their executing bonds for ₹ 25,000/- (Rupees twentyfive thousand only) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
- 3)The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.
- 4)The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

5)The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

6)The petitioners shall not commit any similar offence while on bail.

7)The petitioners shall not leave India without the previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE