

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. 7385 of 2015 ()

**-----
CRIME NO. 950/2015 OF PERINGOME POLICE STATION,
KANNUR DISTRICT
-----**

PETITIONERS/ACCUSED NO. 1,2,5,7,8 &10 :

-
- 1. AJITH E.S., AGED 21 YEARS,
S/O. SOMASEKHARAN, EDATHIL HOUSE, ALAPPADAMBA AMSOM**
 - 2. NIDHEESH. K.V.,
S/O BABU, AGED 19 YEARS,
KOTTEYAN VEEDU, KANAM
ALAPPADAMBA AMSOM**
 - 3. JAYESH K.T.,
S/O GOPI, AGED 30 YEARS, KANNARA, THEKKINIYIL HOUSE,
KANAM, ETTUKKUDUKKA, ALAPPADAMBA AMSOM**
 - 4. PRAMOD P.V.,
S/O NARAYANAN, AGED 35 YEARS,
PUTHUKULANGARA HOUSE
VADAVANTHOOR, MATHIL, ALAPPADAMBA AMSOM**
 - 5. ANOOP C.C.,
S/O NARAYANAN, AGED 30 YEARS,
CHEEMANCHERI CHENCHERI HOUSE, AYOLAM
MATHIL, ALAPPADAMBA AMSOM**
 - 6. PRAKASAHAN V.K.,
S/O KUNHIKANNAN, AGED 41 YEARS, VARAMBATH, KOZHUMMEL
CHERUPPARA, ETTUKKUDUKKA, ALAPPADAMBA AMSOM**

BY ADV. SRI.I.V.PRAMOD

RESPONDENT/COMPLAINANT/STATE:

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682 031**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**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.7385 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 1, 2, 5, 7, 9 and 10 in Crime No.950 of 2015 of Peringome Police Station registered for offences punishable under Sections 143, 147, 148, 341, 323, 324, 332, 307 and 395 read with Section 149 of the Indian Penal Code and Section 3(1) of the Prevention of Damage to Public Property Act, 1984 and Section 128(B) of the Kerala Panchayat Raj Act are the petitioners. They seek bail.

3. Prosecution case is that on 02.11.2015 at about 17.40 hours, the accused persons as members of an unlawful assembly, armed with weapons, assaulted a Sub Inspector of Police, who was on election duty, and voluntarily caused hurt to him.

4. Heard both sides.

5. Learned counsel for the petitioners submitted that as per order on B.A.No.7346 of 2015 some other accused in the crime have been released on bail on 26.11.2015.

Considering the nature of allegations, bail is granted to the petitioners 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. Petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

iv. Each petitioner shall deposit ₹5,000/-(Rupees five thousand only) before the Magistrate having jurisdiction within a period of one week from the date of release.

v. Petitioners shall not indulge in any offence while on bail.

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

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.

cks