

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

Bail Appl..No. 7487 of 2015 ()

***CRIME NO. 955/2015 OF PAYYANNUR POLICE STATION , KANNUR DISTRICT.**

THE NAME OF THE POLICE STATION IS CORRECTED AS "PERINGOME POLICE STATION" INSTEAD OF "PAYYANNUR POLICE STATION" AS PER ORDER DATED 01/12/2015 IN CRL.MA. NO.11199/2015.

PETITIONERS/ACCUSED:

- 1. RAVI.P.P., AGED 36 YEARS,
S/O. NARAYANAN, PUTHIYAPURAYIL HOUSE,
PEROOL, KIZHAKKEKKARA, ERAMAM AMSOM,
KANNUR DISTRICT.**
- 2. MADHU K., AGED 40 YEARS,
S/O. KUNHIRAMAN, KOKKADAN VEEDU,
ERAMAM AMSOM, THATTIYERI, KANNUR DISTRICT.**
- 3. ARUN. M., AGED 32 YEARS,
S/O.DAMODARAN, MOORIKAL HOUSE,
MATHAMANGALAM, KANNUR DISTRICT.**
- 4. JAYAPRAKASHAN, AGED 51 YEARS,
S/O.SANKARAN NAMBISAN, MATHANKOTTU HOUSE,
ERAMAM AMSOM, MATHAMANGALAM, KANNUR DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN,
SRI.A.ARUNKUMAR.**

RESPONDENTS/COMPLAINANT & STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.**
- *2. THE STATION HOUSE OFFICER,
(CRIME NO.955/2015 OF PAYYANNUR POLICE STATION,
KANNUR DISTRICT, PIN-670 001). (CORRECTED)**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.7487 of 2015

Dated this the 4th day of December, 2015

ORDER

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

2. Petitioners are accused 1, 3 and 5 in Crime No.955 of 2015 of Peringome Police Station registered for offences punishable under Sections 143, 147, 148, 341, 323, 324 and 308 read with Section 149 of the Indian Penal Code and Section 128(i)(b) of the Kerala Panchayat Raj Act. They seek bail.

3. Petitioners were arrested on 12.11.2015 with the allegation that on 02.11.2015 at 14.55 hours, accused persons as members of an unlawful assembly wrongfully restrained the defacto complainant and caused hurt to him by beating with iron rods. It is alleged that the first accused used iron rod in the incident.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application.

Considering the fact that petitioners are in custody from 12.11.2015 onwards and the stage of investigation, petitioners are entitled to get bail. Hence the following order:

i. Petitioners shall be released on bail on each one of them executing a bond for ₹25,000/- (Rupees twentyfive thousand 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 Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

iv. Petitioners 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 Peringome Police Station for a period of three months except for the purpose of complying with the bail conditions.

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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