

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

Bail Appl..No. 7633 of 2015

CRIME NO. 1433/2015 OF KORATY POLICE STATION, THRISSUR DISTRICT.
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PETITIONER(S)/ACCUSED 2 & 3:

- 1. SABI, AGED 26 YEARS,
S/O.LONAPPAN, PALLATHUKATTIL HOUSE,
WEST KORATTY DESOM,
KALOOR THEKKUMURI VILLAGE,
THRISSUR DISTRICT.**
- 2. SALSON, AGED 28 YEARS,
S/O.DEVASSYKUTTY, THEKKANATH HOUSE,
WEST KORATTY DESOM,
KALLOOR THEKKUMURI VILLAGE,
THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT

RESPONDENT/STATE:

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A.No.7633 of 2015

Dated this the 8th day of December, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused Nos.3 and 2 respectively in Crime No.1433 of 2015 of Koratty Police Station registered for the offences punishable under Sections 341, 323 and 308 r/w Section 34 of the Indian Penal Code.

3. Prosecution case is that on 07.11.2015 at about 5.15 p.m., while the defacto complainant and his friends were celebrating the success of the concluded the Panchayath election, the petitioners along with other accused belonging to the defeated party attacked them and attempted to commit culpable homicide.

4. Heard both sides.

5. Learned counsel for the petitioners submitted that there is a counter case to this incident, which is registered as Crime No.1439 of 2015 of the same Police Station. There is no allegation against the petitioners that they used any weapon in the incident.

6. Considering the facts and circumstances of the case and nature of the allegations, I am inclined to grant bail to the petitioners with the following conditions:

- (a) The petitioners shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit themselves for interrogation. Thereafter, they shall be released on bail on executing a bond for ₹25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
- (b) The petitioners shall appear before the Investigating Officer on all Saturdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (c) The petitioners shall co-operate with the investigation of the case.
- (d) The petitioners shall not intimidate or

attempt to influence the witnesses.

- (e) The petitioners shall not in any manner interfere or meddle with the investigation.
- (f) The petitioners shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is 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