

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. 7641 of 2015 ()

**CRIME NO. 1322/2015 OF KANJIRAPPALLY POLICE STATION,
KOTTAYAM DISTRICT**

PETITIONERS/ACCUSED :

- 1. NAHAS P.A., AGED 27 YEARS,
S/O.AZEEZ, PANAMTHANATHIL HOUSE,
PATHEKKAR, KANJIRAPPALLY.**
- 2. SHIYAS, AGED 32 YEARS,
S/O. SAYEED, KAROTTUPARAMBIL,
KALLUNKAL COLONY, KANJIRAPPALLY.**
- 3. NAHAS, AGED 22 YEARS,
S/O.NISHAM, THEKKEDATH, KALLUNKAL COLONY,
KANJIRAPPALLY.**
- 4. SINAJ, AGED 23 YEARS,
S/O.WAJI, KAROTTUPARAMBIL, PATHEKKAR,
KANJIRAPPALLY.**
- 5. SHAFEEK, AGED 28 YEARS,
S/O.SHAREEF, KANNUPARAMBIL HOUSE,
PATHEKKAR, KANJIRAPPALLY.**

BY ADV. SRI.V.K.SUNIL

RESPONDENT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM
(THROUGH THE SI OF POLICE
KANJIRAPPALLY POLICE STATION).**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

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

bp

A.HARIPRASAD, J.

B.A No.7641 of 2015

Dated this the 8th day of December, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.1322 of 2015 of Kanjirappally Police Station registered for offences punishable under Sections 143, 147, 149, 341, 323, 324 and 354 I.P.C.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. Prosecution case, in short, is that on 07-11-2015 at about 1.45 p.m., the petitioners attacked the defacto complainant, a lady with a microphone and caused injuries. Further, one of the accused tore the shawl of a lady in the company of the defacto complainant.

5. Considering the nature of allegations, I am of the view that custodial interrogation is not necessary in this case. Hence, following directions are made :

1. Petitioners shall surrender before the investigating officer within a period of two weeks from today and submit themselves for interrogation. In that event, they shall be released on bail on executing a bond for Rs.25,000/- each (Rupees twenty five

thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

2. The sureties shall produce documents to establish their identity and solvency. The Investigating Officer need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. Petitioners shall appear before the Investigating Officer as and when directed.
4. Petitioners shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioners, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.

amk

//True copy//

P.A to Judge