

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Bail Appl..No. 7650 of 2015 ()

CRIME NO. 1361/2015 OF PONNANI POLICE STATION , MALAPPURAM

PETITIONERS:

1. MUHAMMED ALI AGED 43 YEARS
S/O. HAMSA, AMBALATHUVEETIL HOUSE
PADINJARANGADI P.O., PALGHAT DISTRICT-679552.

2. ABOOBACKER AGED 45 YEARS
S/O. HAMSA, AMBALATHUVEETIL HOUSE
PADINJARANGADI P.O., PALGHAT DISTRICT-679552

BY ADVS.SRI.JOHNSON MANAYANI
SRI.JEEVAN MATHEW MANAYANI

RESPONDENTS:

1. THE SUB INSPECTOR OF POLICE
PONNANI POLICE STATION, PONNANI P.O.
MALAPPURAM DISTRICT-679586

2. THE STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.

ADDL.. BY ADV. SRI.K.RAMAKUMAR (SR.)
ADDL.. BY ADV. SRI.S.M.PRASANATH
ADDL.. BY ADV. SMT.ASHA BABU
ADDL.. BY ADV. SRI.G.RENJITH
ADDL.. BY ADV. SMT.R.S.ASWINI SANKAR
ADDL.. BY ADV. SMT.S.PARVATHI

BY PUBLIC PROSECUTOR: SMT.M.G.LISHA

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON 16-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SUNIL THOMAS, J.

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B.A.No.7650 of 2015

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Dated this the 16th day of December, 2015

ORDER

Heard the learned Public Prosecutor, learned counsel for the petitioners and the learned senior counsel on behalf of the respondent sought to be impleaded.

2. Learned Public Prosecutor has made available the CD and on instruction submitted that all the offences now alleged against the petitioners herein are bailable. The submission of the learned Public Prosecutor is recorded. In the light of the above, the application under Section 438 of the Cr.P.C. is not applicable. Hence, the bail application is closed. However, this is without prejudice to the right of the petitioners to move at appropriate stage, in case any non-bailable offence is also added. It is clarified that in the case of requirement of the petitioners for the purpose of questioning or interrogation, appropriate notice as contemplated under the Cr.P.C. shall be issued to them.

Both the counsel very fairly conceded that without prejudice to the rival claims and contentions, the parties are willing for an attempted mediation for the purpose of settling the disputes

between them. Hence, both the counsel submitted that for the above limited purpose, proceeding can continue notwithstanding the closure of bail application. Both sides are willing to appear before the mediation centre to work out the mutually satisfactory settlement, if possible, and that the parties can be present on 22.12.2015. Both sides shall appear before this Court on 22.12.2015 at 10.15 a.m.

Sd/-
SUNIL THOMAS
Judge

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True Copy /

P.A to Judge