

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

Bail Appl.No. 7610 of 2014 ()

CRIME NO. 1068/2014 OF KUMILY POLICE STATION , IDUKKI

PETITIONERS/ACCUSED:

1. VINOD GOPI, AGED 30 YEARS
S/O.GOPI, POTTAN PLACKAL HOUSE, KUMILY P.O.
IDUKKI DISTRICT.
2. IYPE, AGED 24 YEARS
S/O.JOSEPH MATHAI, NELICKAKUZHIYIL, RAJAKANDAM P.O.
VADANMEDU, IDUKKI DISTRICT.
3. SIMSON, AGED 39 YEARS
S/O.ISRAEL, VALIYAVEETTUVILA HOUSE, ATTAPPALLAM P.O.
KUMILY, IDUKKI DISTRICT.
4. K.M.SIDDIQUE, AGED 40 YEARS
S/O.MARACKAR, KOLLAMPARAMBIL HOUSE, ATTAPPALLAM P.O.
KUMILY, IDUKKI DISTRICT.

BY ADVS.SRI.THOMAS ABRAHAM
SMT.MERCIAMMA MATHEW
SRI.ASWIN.P.JOHN
SRI.T.S.PRASANNAKUMAR

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA.
2. SUB INSPECTOR OF POLICE,
KUMILY POLICE STATION, IDUKKI DISTRICT.

R BY PUBLIC PROSECUTOR SRI. SURESH. N.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
29-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

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B.A. No. 7610 of 2014

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Dated this the 29th day of May, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and the learned Public Prosecutor appearing for the respondents. C.D. produced.

3. The petitioners are accused 1 to 4 in Crime No. 1068 of 2014 of Kumily Police Station. The offences alleged are under Sections 143, 147, 148, 294(B), 506(1), 323, 324, 308 and 427 read with Section 149 of the Indian Penal Code. Learned counsel for the petitioners submits that the petitioners are innocent of the allegations raised against them. They have no criminal antecedents. The investigation of the case is almost over. Custodial interrogation of the

petitioners is not required in this case. He further submits that the petitioners apprehend arrest by the police at any time.

4. The learned Public Prosecutor has opposed this petition. The Case Diary shows that the investigation of the case is almost over. The learned Public Prosecutor submits that no criminal antecedents have been reported against the petitioners. On considering the facts and circumstances, stage of the investigation and the fact that no criminal antecedents have been reported against the petitioners, this Court is of the view that the petitioners can be granted anticipatory bail imposing appropriate conditions.

Therefore, the petitioners are granted anticipatory bail subject to the following conditions:

- 1) The petitioners shall surrender before the Investigating Officer on or before 6.6.2015. In the event of their arrest, they shall be released on bail on their executing bonds for Rs. 25,000/- (Rupees twenty five thousand) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

2) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

3) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

4) The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

5) The petitioners shall not commit any similar offence while on bail.

6) The petitioners shall not leave India without the previous permission of the concerned Magistrate's Court.

This application is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

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True copy

P.S. (Hr.Gr.)To Judge

