

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

Bail Appl..No. 7706 of 2015 ()

CRIME NO. 642/2015 OF PERAVOOR POLICE STATION, KANNUR DISTRICT.

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APPLICANTS/ACCUSED NOS. 1, 3, 4 & 6 TO 9:

- 1. RAJAN NARIKKODAN, S/O. KANNAN, AGED 54 YEARS,
NARIKKODAN HOUSE, PANCHAYATH MEMBER,
PERAVOOR GRAMA PANCHAYATH, PERAVOOR P.O.**
- 2. NADAPURATH RAJESH, S/O. KANNAN, AGED 40 YEARS,
NADAPURAM HOUSE, MANATHANA AMSOM,
PERAVOOR DESOM, PERAVOOR P.O.**
- 3. AJESH NARIKKODAN, S/O. RAJAN, AGED 30 YEARS,
S/O. KANNAN, AGED 54 YEARS,
NARIKKODAN HOUSE, MANATHANA AMSOM,
PERAVOOR DESOM, PERAVOOR P.O.**
- 4. RAJESH. P., S/O. KRISHNAN, AGED 36 YEARS,
BALUSSERY HOUSE, DRIVER,
VELLARVALLY AMSOM DESOM, VELLARVALLY P.O.**
- 5. K.P. PRANAV, S/O. PAVITHRAN, AGED 22 YEARS,
PRANAVAM HOUSE, PERAVOOR AMSOM, DESOM,
PERAVOOR P.O.**
- 6. VYSHAKH P.K., S/O. BALAKRISHNAN,
AGED 27 YEARS, PARIYARATHKANDI HOUSE,
PERAVOOR P.O.**
- 7. SHYJU. C., S/O. BHARATHAN,
AGED 31 YEARS, CHEROOTTANKARA HOUSE,
P.O. PERAVOORTHURU, PERAVOOR.**

**BY SRI.P.VIJAYA BHANU, SENIOR ADVOCATE.
ADVS. SRI.THOMAS J.ANAKKALLUNKAL,
SMT.MITHA SUDHINDRAN.**

Bail Appl..No. 7706 of 2015

RESPONDENT/COMPLAINANT:

**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 14-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.7706 of 2015

Dated this the 14th day of December, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioners are the accused Nos. 1, 3, 4 and 6 to 9 respectively in Crime No.642 of 2015 of Peravoor Police Station registered for offences punishable under Sections 143, 147, 148, 341, 323, 324, 342, 452 and 308 r/w Section 149 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 14.00 hours, the accused along with other persons, as members of an unlawful assembly, armed with weapons, criminally trespassed into the shop of the defacto complainant. They assaulted wife of the defacto complainant. Thereafter, the defacto complainant was also attacked.

5. Learned Public Prosecutor opposed the bail application. It is submitted that accused Nos. 1, 3 and 4 are involved in other

crimes. In so far as the 4th accused is concerned, he is involved in two serious offences under Sections 326 I.P.C. Others are involved in lesser offences. Considering the antecedents of the 4th accused, I am not inclined to grant pre-arrest bail to the 4th accused. Hence, his bail application will stand dismissed. Bail is granted to the other accused persons with following directions :

1. Petitioners (accused Nos. 1, 3 and 6 to 9) shall surrender before the investigating officer within a period of two weeks from today and submit themselves for interrogation. In that event, the petitioners shall be released on bail on executing a bond for Rs.50,000/- each (Rupees fifty 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 an 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.**

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PA to Judge

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