

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

Bail Appl..No. 7733 of 2015 ()

CRIME NO. 2032/2015 OF PANDALAM POLICE STATION.

PETITIONERS/ACCUSED 1 TO 4:

- 1. REMESH, AGED 30 YEARS, S/O.VELU,
MOOLAKKATHARAYIL, KADAKKADU SOUTH MURI,
KURAMPALA VILLAGE, PATHANAMTHITTA DISTRICT.**
- 2. RATHEESH, AGED 33 YEARS, S/O.VELU,
MOOLAKKATHARAYIL, KADAKKADU SOUTH MURI,
KURAMPALA VILLAGE, PATHANAMTHITTA DISTRICT.**
- 3. MOHANAN, AGED 46 YEARS, S/O.ADICHAN,
MOOLAKKATHARAYIL, KADAKKADU SOUTH MURI,
KURAMPALA VILLAGE, PATHANAMTHITTA DISTRICT.**
- 4. ABILASH @ AJAYAN, AGED 33 YEARS, S/O.MURALEEDHARAN,
MOOLAKKATHARAYIL, KADAKKADU SOUTH MURI,
KURAMPALA VILLAGE, PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.K.SASIKUMAR,
SRI.M.VIJESH KUMAR,
SRI.S.ARAVIND,
SRI.R.ROHITH,
SRI.K.JANARDHANA SHENOY,
SRI.P.S.RAGHUKUMAR.**

RESPONDENT/STATE/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A. HARIPRASAD, J.

Bail Appl. No.7733 of 2015

Dated this the 11th day of December 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos.1 to 4 in Crime No.2032 of 2015 of Pandalam Police station registered for the offences punishable under Secs.341, 324, 326 and 294 read with Sec.34 of the Indian Penal Code. Prosecution case is that, on 08.11.2015 at about 7.30 p.m., the accused persons restrained the defacto complainant, pushed him down and assaulted him with a tapioca stump causing fracture of proximal phalanx of left thumb.

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

4. Learned counsel for the petitioners submitted that the defacto complainant and the petitioners are close relatives. There was a dispute about a public way.

Considering the nature of injuries and the stage

of investigation, pre arrest bail is granted to the petitioners with the following conditions.

1. The petitioners shall surrender before the investigating officer within a period of two weeks and submit themselves for interrogation.

2. In the event of arrest, the petitioners shall be released on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioners shall appear before the Investigating Officer for interrogation as and when directed by him in writing.

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

In case of violation of any of the above

conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/11/12/2015

P.A. To Judge