

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. 7768 of 2015

CRIME NO. 1103/2015 OF KADIRUR POLICE STATION, KANNUR DISTRICT.
.....

PETITIONER/ACCUSED 1:

**SHAJI.V.P, AGED 43 YEARS,
S/O.GOPALAN, KALLAN PARAMBIL HOUSE,
PATYAM AMSOM, KONKACHI DESOM,
PATHAYAKKUNNU.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031,
(CRIME NO.1103/2015 OF KADIRUR POLICE STATION,
KANNUR DISTRICT.)**
- 2. STATION HOUSE OFFICER,
KADIRUR POLICE STATION, KANNUR DISTRICT-670642,
(CRIME NO.1103/2015 OF KADIRUR POLICE STATION,
KANNUR DISTRICT).**

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:**

mbr/

A.HARIPRASAD, J.

B.A. No.7768 of 2015

Dated this the 14th day of December, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.1103 of 2015 of Kadirur Police Station registered for offences punishable under Sections 143, 147, 148, 341, 353 and 506(ii) r/w Section 149 I.P.C.

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

4. Prosecution case, in short, is that on 19-09-2015 at about 12.10 p.m., the petitioner along with other accused persons as members of an unlawful assembly, abused the Sub Inspector of Police and his party while the petitioner and others were holding a procession. They threatened the police officers with dire consequences.

5. Learned counsel for the petitioner submitted that going by the allegations the offence under Section 353 I.P.C is not attracted. That is the only non bailable offence in this case. There is

no case that assault was intended by the petitioner. Petitioner is involved in other crimes. Considering the nature of allegations, following directions are issued :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, the petitioner shall be released on bail on executing a bond for Rs.50,000/- (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. Petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-

**A.HARIPRASAD,
JUDGE.**

amk

//True copy//

P A to Judge