

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. 7782 of 2015 ()

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CRIME NO. 928/2015 OF HOSDURG POLICE STATION,
KASARGOD DISTRICT
-----**

PETITIONER/5TH ACCUSED :

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ROHIT, AGED 20 YEARS,
S/O. T.V.RAMAKRISHNAN, PERALAM, PULLUR VILLAGE,
HOSDURG TALUK, KASARAGOD DISTRICT.**

**BY ADVS.SRI.T.K.VIPINDAS
SRI.K.V.SREE VINAYAKAN
SRI.K.M.MUHAMMED HUSSAIN**

RESPONDENT/STATE :

**-----
STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031
REPRESENTING SHO, HOSDURG POLICE STATION,
KASARAGOD DISTRICT.**

BY PUBLIC PROSECUTOR SMT.R. REMA

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

bp

A.HARIPRASAD, J.

B.A. No.7782 of 2015

Dated this the 11th day of December, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the 5th accused in Crime No.928 of 2015 of Hosdurg Police Station registered for offences punishable under Sections 143, 147, 148 and 332 r/w Section 149 I.P.C.

3. Prosecution case, in short, is that on 01-11-2015 at about 21.45 hours, the petitioner along with other accused persons, as members of an unlawful assembly, prevented the Police officials from discharging their duty. They attacked the Sub Inspector of Police, who tried to disperse clashing groups.

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

5. Learned counsel for the petitioner submitted that the petitioner is not named in the first information statement. He is a law student in S.D.M Law College, Mangalore. He is not present at the place of occurrence at all. Learned Public Prosecutor opposed the bail application. Considering the nature of allegations, following

directions are made :

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.25,000/- (Rupees twenty five 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. One of the parents/brothers/sisters of the petitioner shall be an additional surety.
4. Petitioner shall appear before the Investigating Officer on all Sundays between 10.00 and 11.00 a.m for a period of three months.
5. Petitioner shall not influence or intimidate witnesses.
6. 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

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