

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

Bail Appl..No. 7820 of 2015 ()

CRIME NO. 1083/2015 OF PAYYANNUR POLICE STATION, KANNUR DISTRICT

PETITIONER/ACCUSED NO.3 :

**NIBRAS A., AGED 23 YEARS
S/O.USMAN K., UDUMBUMTHALA
P.O.UDUMBUMTHALA, HOSDURG TALUK,
KASARGOD DISTRICT.**

BY ADV. SRI.M.V.AMARESAN

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.7820 of 2015

Dated this the 17th day of December, 2015

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the third accused in Crime No.1083 of 2015 of Payyanur Police Station registered for offences punishable under Sections 143, 147, 148, 341, 324, 308 and 506 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 07-08-2015, the petitioner along with other accused persons attacked the defacto complainant with iron rods and wooden reapers.

5. First accused in the crime has secured pre-arrest bail as per order in B.A No.5506 of 2015 dated 16-09-2015. Considering the parity in claims with other accused, I am of the view that the petitioner also stands on the same footing. Hence, following directions are made :

1. The petitioner shall surrender before the investigating officer within a period of fifteen days

and subject himself for interrogation.

2. In case the petitioner is arrested, he shall be released by the arresting officer on bail on his executing bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum before the arresting officer and subject to the following conditions:

a. The petitioner shall appear before the investigating officer as and when directed and submit himself for interrogation.

b. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

c. The petitioner shall co-operate with investigation of the case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law.

Sd/-
A.HARIPRASAD,
JUDGE.

//TRUE COPY//

PA TO JUDGE

amk