

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Bail Appl..No. 7911 of 2015

**CRIME NO. 2298/2015 OF THRISSUR TOWN WEST POLICE STATION,
THRISSUR DISTRICT**

PETITIONER(S)/ACCUSED 1 TO 7 :

- 1. MANU K.RAJ, AGED 23 YEARS,
S/O.RAJU, KALTHOTY P.O, KANJIYAR DESOM,
AYYAPPANKOVIL VILLAGE, IDUKKI.**
- 2. PRAVEEN, AGED 24 YEARS,
S/O.PRASANNAN, KOTINATU HOUSE, THALIYAPARAMBU DESOM,
POOCHAKKAL VILLAGE, MULAVAIPPU P.O, CHERTHALA,
ALAPPUZHA DISTRICT.**
- 3. HAREESH, AGED 31 YEARS,
S/O.HASHIM, VALLAVASSERY HOUSE, POOCHAKKAL DESOM
P.O PANAVALLY, CHERTHALA VILLAGE, ALAPPUZHA DISTRICT.**
- 4. DALIM, AGED 33 YEARS,
S/O.SEITHUTY, AMBALATH HOUSE, THANGALPADI,
ORUMANAYOOR VILLAGE, CHAVAKKAD.**
- 5. SHAJEER, AGED 23 YEARS,
S/O. HASSAINAR, METHI HOUSE, AYNAPPALLI DESOM,
CHAVAKKAD VILLAGE (NOW RESIDING AT BLANGAD SEETHI CHURCH
NEAR THE HOUSE OF BALAN).**
- 6. SHALEER AGED 25 YEARS
S/O. HASAINAR, METHI HOUSE, AYNAPPALLI DESOM
CHAVAKKAD VILLAGE, THRISSUR DISTRICT**
- 7. ABHILASH & KUKKOO, AGED 26 YEARS
S/O. RAJMOHAN NAIR, KUKKU NIVAS, MANIKULAM DESOM,
NEDUMKUNNAM VILLAGE, KOTTAYAM.**

**BY ADVS.SRI.E.C.POULOSE
SMT.BOBBOY RAPHEAL.C**

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RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A No.7911 of 2015

Dated this the 16th day of December, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioners are the accused Nos.1 to 7 in Crime No.2298/2015 of Thrissur Town West Police Station registered for offences punishable under Sections 143, 147, 148, 341, 323, 324, 326, 308, 395 and 397 r/w Section 149 I.P.C and Section 27 of the Arms Act.

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

4. Prosecution case, in short, is that on 14-11-2015 at about 00.40 hours, the accused in furtherance of their common object, formed themselves into an unlawful assembly, armed with deadly weapons, waylaid a lorry and attacked the defacto complainant and cleaner with a jack lever causing fracture to his left hand. They used sword also.

5. Learned counsel for the petitioners submitted that the entire investigation has been completed. Learned Public Prosecutor submitted that recovery of material objects have been effected and the accused were taken in police custody and returned. Hence, I am of the view that bail can be granted to the petitioners with following strict conditions :

1. The petitioners shall be released on bail on executing a bond for Rs.1,00,000/- each (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The lower court 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. The petitioners shall appear before the Investigating Officer on all Mondays and Thursdays between 09.00 and 10.00 a.m until final report is filed.

4. The petitioners shall surrender his passport, if any. If they do not have a passport, they shall file an affidavit stating that fact before the learned Magistrate having jurisdiction.
5. The petitioners shall not indulge in any offence while on bail.
6. The petitioners shall not leave the limits of Thrissur District without the permission of the learned Magistrate having jurisdiction.
7. The petitioners shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioners, the learned Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge

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