

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. 7990 of 2015

CRIME NO. 628/2015 OF MANJESWAR POLICE STATION

PETITIONER(S)/ACCUSED NO.5 :

**MUHAMMED MUNEER @ MUNEER, AGED 25 YEARS,
S/O.ABDULLA, MUNEER MANZIL, PACHILAMPARA,
UPPALA, KASARAGOD DISTRICT.**

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENT(S)/COMPLAINANT/STATE :

- 1. THE STATION HOUSE OFFICER,
MANJESHWAR POLICE STATION,
KASARAGOD DISTRICT- 671 121.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 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:**

Msd.

A.HARIPRASAD, J.

B.A. No.7990 of 015

Dated this the 17th day of December, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.628 of 2015 of Manjeshwar Police Station registered for offences punishable under Sections 143, 147, 148, 151, 152, 353, 332, 333 and 308 read with Section 149 of the Indian Penal Code. He seeks bail.

3. Prosecution case is that on 08.11.2015 at 17.30 hours, there was a clash between the followers of two political parties. Accused persons pelted stones to the shops in the vicinity. They also deterred the police from discharging their duty.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application. Petitioner's earlier application for bail was dismissed on 04.12.2015 by this Court.

6. Learned counsel for the petitioner submitted that the petitioner is in custody from 09.11.2015 onwards.

Considering the stage of investigation and the nature of allegations, bail is granted to the petitioner with following conditions:

- i. Petitioner shall be released on bail on executing a bond

for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. 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.

iii. Petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

iv. Petitioner shall not indulge in any offence while on bail.

v. He shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

vi. He shall not enter the limits of Manjeshwar Police Station for a period of three months except for the purpose of complying with the bail conditions.

If any of the above conditions is breached by the petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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