

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

Bail Appl..No. 8088 of 2015  
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CRIME NO. 2980/2015 OF THIRUVALLA POLICE STATION, PATHANAMTITTA

PETITIONERS/ACCUSED 2 TO 4:  
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1. ABHILAS @ KANNAN AGED 23 YEARS  
S/O.CHANDRAN PILLAI, ARUNAPURATHU HOUSE, MUTHOOR MURI  
THIRUVALLA TALUK.
2. NANDU DINESH AGED 20 YEARS  
S/O.DINESAN, PUTHENPARAMBIL HOUSE, KUTTAPUZHA VILLAGE  
AMALLUR KARA, THIRUVALLA TALUK.
3. RENJITH RAMESAN AGED 21 YEARS  
S/O.RAMESAN, PUTHENPARAMBIL HOUSE, AMALLOOR KARA  
KUTTAPUZHA VILLAGE, THIRUVALLA TALUK.

BY ADV. SRI.MVS.NAMBOOTHIRY

RESPONDENT:  
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STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM 682 031.

R BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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**BABU MATHEW P. JOSEPH, J.**

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B.A. No. 8088 of 2015

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Dated this the 22<sup>nd</sup> day of December, 2015

**ORDER**

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and the learned Public Prosecutor appearing for the respondent. C.D. produced.

3. The petitioners are accused 2 to 4 in Crime No.2980 of 2015 of Thiruvalla Police Station. The offences alleged are under Sections 452, 326 and 427 read with Section 34 of IPC. Learned counsel for the petitioners submits that the petitioners are innocent of the allegations raised against them. They are students of Marthoma College, Thiruvalla. The first petitioner is aged only 23, second petitioner is aged only 20 and the third petitioner is aged only 21. They have

no criminal antecedents. In fact, the de facto complainant and others unleashed violence against the petitioners and others for which a counter case has been registered as Crime No.2984 of 2015 of Thiruvalla Police Station alleging the offences under Sections 143, 147, 148, 324 and 323 read with Section 149 of IPC. The investigation of the case has progressed much. The custodial interrogation of the petitioners is not required in this case. He further submits that the petitioners apprehend arrest by the police at any time.

4. Learned Public Prosecutor has opposed this petition. She admits the fact that the investigation of the case has progressed much. She further submits that no criminal antecedents have been reported against the petitioners. On considering the facts and circumstances, age of the petitioners and the facts that the petitioners are students and a counter case has been registered by the police, this Court is of the view that the petitioners can be granted

anticipatory bail imposing appropriate conditions.

Therefore, the petitioners are granted anticipatory bail subject to the following conditions:

1) The petitioners shall surrender before the Investigating Officer on or before 31.12.2015. In the event of their arrest, they shall be released on bail on their executing bonds for Rs. 25,000/- (Rupees twenty five thousand) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

2) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

3) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

4) The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the

prosecution.

5) The petitioners shall not commit any similar offence while on bail.

6) The petitioners shall not leave India without the previous permission of the concerned Magistrate's Court.

This application is allowed as above.

Sd/-

**BABU MATHEW P. JOSEPH  
JUDGE**

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True copy

P.S. (Hr.Gr.)To Judge