

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

Bail Appl..No. 8102 of 2015

CRIME NO. 806/2015 OF POZHIYOOR POLICE STATION ,
THIRUVANANDAPURAM

PETITIONER(S)/ACCUSED 1 AND 2:

1. ANILKUMAR,
S/O. KESAVAN NADAR, AGED 35 YEARS,
VERALI, VETTUKAD,
THUBAKKAL MANPADI PUTHEN VEETIL,
THIRUVANANTHAPURAM.
2. SELVARAJ @ BIJU,
S/O. BHASKARAN, PLANKALAVEEDU, KULATHOOR,
UCHAKADA, THIRUVANANTHAPURAM.

BY ADVS. SRI.SUMAN CHAKRAVARTHY
SMT.BREJITHA UNNIKRISHNAN

RESPONDENT(S):

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

BY PUBLIC PROSECUTOR SRI. V.S. SUJITH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
23-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P. BHAVADASAN, J.

B.A. No. 8102 of 2015

Dated this the 23rd day of December, 2015.

ORDER

This is a petition filed under Section 438 of the Code of Criminal Procedure seeking anticipatory bail

2. The petitioners are the accused in Crime No. 806 of 2015 of Pozhiyoor Police Station, who are alleged to have committed offences punishable under Sections 341, 294(b), 323, 324, 308 read with Section 34 of Indian Penal Code.

3. According to the petitioners, the defacto complainant in Crime No. 806 of 2015 was instrumental in attacking the relatives of the petitioners. In fact, the petitioners point out that for the act committed by the defacto complainant in the present crime, the first petitioner has filed a complaint and Crime No. 805 of 2015 was registered. It is clear, according to the petitioners, that the complaint which led to the registration of the present

crime is a counter blast to the registration of crime on the complaint filed by the first petitioner.

4. After having heard learned counsel for the petitioners and the learned Public Prosecutor, and after having perused the records, there seems to be some basis for the apprehension expressed by the petitioners.

Therefore, this application is allowed on the following conditions:

- i) Petitioners shall surrender before the Investigating Officer on or before 12.01.2016, who, after interrogation, shall produce them before the court concerned, which court, on application for bail being moved by the petitioners, shall release them on bail on each of them executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two solvent sureties for the like sum each to the satisfaction of the said court.

ii) Petitioners shall report before the Investigating Officer on every Friday between 9 a.m. and 11 a.m. until further orders.

iii) Petitioners shall not leave State of Kerala without the prior permission of the court which grants bail.

iv) If any of the conditions is violated, bail granted to the petitioners shall stand cancelled, and the court concerned may take such steps as are available in law.

**P. BHAVADASAN,
JUDGE**

sb.