

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Bail Appl..No. 8109 of 2015 ()

CRIME NO. 1267/2015 OF PARIYARAM POLICE STATION, KANNUR DISTRICT.

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PETITIONERS/ACCUSED NO.1, 2 AND 6:

- 1. SOORAJ T.V., AGED 20 YEARS,
S/O. RAMAN T.V., THAIVALAPPIL HOUSE,
KADANNAPPILLY AMSOM, PADINJAREKKARA.**
- 2. V.P.SUBASH, S/O. K.P. KUNJHIRAMAN,
AGED 35 YEARS, VAYALILEPURAYIL HOUSE,
KADANNAPPILLY AMSOM, PADINJAREKKARA.**
- 3. K. AJAYAKUMAR, S/O. KATOOR KUMARAN,
KAVINTARIKATHU HOUSE, AGED 55 YEARS,
KADANNAPPILLY AMSOM, PADINJAREKKARA.**

BY ADV. SRI.I.V.PRAMOD.

RESPONDENT/COMPLAINANT/STATE:

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

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A. HARIPRASAD, J.

Bail Appl. No.8109 of 2015

Dated this the 21st day of December 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioners are accused nos.1,2 and 6 in Pariyarm Medical College Police station registered for the offences punishable under Secs.143, 147, 148, 452, 294(b), 354, 323, 427 and 506(ii) read with Sec.149 of the Indian Penal Code. The prosecution allegation is that on 22.11.2015 at 16.00 hours, the accused persons, 40 in number, formed themselves into an unlawful assembly with the common object of committing offences, trespassed into the house of the defacto complainant, assaulted her and caused damage to the household articles. They attempted to outrage her modesty due to political enmity.

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

4. Learned counsel for the petitioner submitted that the issue started on the date of polling for the local

body election wherein, the defacto complainant questioned the identity of the 1st accused. Even though, they are neighbours, on political reasons, she picked up a quarrel and it resulted in series of incidents. The accused persons are falsely implicated in this case is the contention.

Considering the entire facts and circumstances and the fact that the petitioners are in custody from 07.12.2015, bail is granted to them with the following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on

solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioners shall appear before the Investigating Officer for interrogation on all Saturdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

vi. The petitioners shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /