

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

Bail Appl..No. 8556 of 2014

CRIME NO. 1867/2014 OF OLLUR POLICE STATION , THRISSUR DISTRICT

PETITIONER(S)/ACCUSED 2-4 :

- 1. SOBIL, AGED 39 YEARS,
S/O.RAMAN @ RAMANKUTTY, KOLOTH HOUSE,
P.O.MATHILAKAM.**
- 2. ANTONY JOSE, AGED 40 YEARS,
S/O.JOSE, KOLLANNUR ALLAKKAL HOUSE,
P.O.JUBILEE MISSION HOSPITAL, THRISSUR.**
- 3. RAGHU.M.V., AGED 38 YEARS,
S/O.VELAYUDHAN, MANTHARAYIL HOUSE, MATHILAKAM,
THRISSUR.**

**BY ADVS.SRI.M.SHAJU PURUSHOTHAMAN
SRI.K.S.RAJESH**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTING BY THE S.I. OF POLICE
OLLUR. PIN-638 009.**

BY PUBLIC PROSECUTOR SRI.SREEJITH.V.S

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

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B.A. No. 8556 of 2014

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Dated this the 19th day of January, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are A4, A3 and A2 in Crime No.1867 of 2014 of the Ollur Police Station, Thrissur District, registered for the offences punishable under Section 365 read with Section 34 IPC.

3. The allegation against the petitioners and the other accused is that on 18.09.2014 at 11.30 p.m., they abducted the brother-in-law of the defacto complainant, as he evaded the payments to be made to the 1st accused, for sanitary wares purchased from his shop, for the construction of the villas of the KBR Group, of which the brother-in-law of the defacto complainant was the care taker.

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

5. The learned counsel for the petitioners has produced the copy of the affidavits filed by the defacto complainant and the brother-in-law of the defacto complainant, who is the victim, before the Judicial First Class Magistrate's Court-III, Thrissur, where the crime is pending. It has been affirmed in the affidavits that the matter has been amicably settled between the parties and the dispute had arisen on account of the default in making the payments to the 1st accused. It seems that the 1st accused has been enlarged on bail by the learned Magistrate. When the 1st accused has been enlarged on bail and all the matters have been amicably settled between the parties, I am of the view that this is a fit case wherein anticipatory bail can be granted to these petitioners especially when no criminal antecedents have been reported against them.

In the result, this bail application is allowed and the

investigating officer or such other police officer, who is conducting the arrest of the petitioners, is directed to enlarge the petitioners on bail in the event of their arrest on each of them executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

(i) The petitioners shall report before the investigating officer in between 09.00 a.m. and 11.00 a.m. on all Mondays and Thursdays commencing from 26.01.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioners shall not tamper with the evidence or influence witnesses.

(iii) The petitioners shall make themselves available for interrogation as and when required by the investigating officer.

(iv) The petitioners shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/19/1/15

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P.A. To Judge