

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

Bail Appl..No. 9084 of 2014 ()

**CRIME NO. 1631/2014 OF POOYAPPALLY POLICE STATION,
KOLLAM DISTRICT**

PETITIONERS/ACCUSED 1 TO 4:

- 1. SUNU, AGED 22 YEARS,
S/O.CHELLAPPAN, POKAYIL KIZHAKKATHIL VEEDU,
UDIYOORKONAM HARIJAN COLONY, CHENKULAM MURI,
VILLAGE, POOYAPPALLY KOLLAM**
- 2. SUNIL KUMAR, AGED 32 YEARS,
DO. DO.**
- 3. SAJILAL, AGED 19 YEARS,
S/O.SAHADDEVAN, ALUVILA VEEDU,
UDIYOORKONAM HARIJAN COLONY,
CHENKULAM MURI, VILLAGE POOYAPPALLY KOLLAM**
- 4. SUKU, AGED 28 YEARS,
S/O.CHELLAPPAN, POKAYIL KIZHAKKATHIL VEEDU,
UDIYOORKONAM HARIJAN COLONY, CHENKULAM MURI,
VILLAGE POOYAPPALLY KOLLAM**

BY ADV. SRI.SAJU.S.A

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

.....
B.A. No.9084 of 2014
.....

Dated this the 6th day of January, 2015

ORDER

Petitions filed under Section 439 Cr.P.C.

2. Petitioners are A1, A3, A4 and A5 respectively in Crime No.1631/2014 of the Pooyappally Police Station, Kollam registered for the offences punishable under Sections 143, 147, 148, 341, 326 and 308 read with Section 149 of the Indian Penal Code.

3. The allegation against the petitioners is that on 06.12.2014 at 8.30 p.m., they along with the other accused, formed themselves into an unlawful assembly armed with deadly weapons like iron rod, cycle chain, sticks etc. and wrongfully restrained the defacto complainant and her brother-in-law and inflicted serious injuries on them by making use of the said weapons. A grievous hurt was also caused. The petitioners have been in custody for the period

from 09.12.2014 onwards.

4. Heard learned counsel for the petitioners and the learned Public Prosecutor. The learned Public Prosecutor has opposed the petition. Perused the CD.

5. No criminal antecedents have been reported against the petitioners. The investigation of this case is practically over. Continued detention of the petitioners in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioners in custody, the present stage of investigation and the absence of any criminal antecedents on their part, this court is of the view that the petitioners can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on their executing a bond for ₹1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum each to the satisfaction of the concerned Judicial First Class

Magistrate's Court, and subject to the following terms and conditions:-

(i) The petitioners shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Tuesdays and Fridays commencing from 13.01.2015 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

ul/-

[True copy]

P.S. to Judge