

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

Bail Appl..No. 9225 of 2014 ()

CRIME NO. 944/2014 OF MANJERI POLICE STATION, MALAPPURAM DISTRICT

PETITIONERS/ACCUSED 1 & 2 :

- 1. MOOLATH ABDURAHMAN, AGED 59 YEARS
S/O.HASSAN, KUNDILTHODIKA HOUSE, TRIKKALANGODE P.O.
MANJERI, MALAPPURAM DISTRICT.**
- 2. MOOLATH MUJEEB RAHMAN, AGED 34 YEARS
S/O.ABDURAHMAN, KUNDILTHODIKA HOUSE
TRIKKALANGODE P.O., MANJERI,
MALAPPURAM DISTRICT.**

BY ADV. SRI.K.MUHAMMAD SALAHUDHIN

RESPONDENT/COMPLAINANT/STATE :

**STATE OF KERALA,
REPRESENTED BY THE SUB-INSPECTOR OF POLICE
MANJERI POLICE STATION, MALAPPURAM DISTRICT
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14-01-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

B.KEMAL PASHA, J.

.....
B.A. No.9225 of 2014
.....

Dated this the 14th day of January, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are A1 and A2 in Crime No.944/2014 of the Manjeri Police Station, registered for the offences punishable under Sections 341, 323, 324 and 326 read with Section 34 of the Indian Penal Code and Section 3(1)(xi) of the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act.

3. The allegation against the petitioners is that on 19.09.2014 at 5.30 p.m., the first accused hit the defacto complainant woman on her head repeatedly with a granite stone and the second accused beat the defacto complainant with a chappal on her face and back thereby one of her teeth was fractured. It is alleged that the defacto complainant is a member of a scheduled caste whereas the

petitioners are not members of any scheduled caste or scheduled tribe. The petitioners have been in custody for the period from 17.12.2014 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. The contents of the CD reveal that 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 and the present stage of investigation, 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 Wednesdays and Saturdays commencing from 21.01.2015 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