IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2020 / 8TH ASWINA, 1942

Bail Appl..No.5875 OF 2020

AGAINST THE ORDER/JUDGMENT IN CRMC 774/2020 DATED 21-08-2020 OF DISTRICT COURT& SESSIONS COURT,THODUPUZHA

CRIME NO.663/2020 OF VANDANMEDU POLICE STATION , IDUKKI

PETITIONERS/ACCUSED:

1 **JIKKU,**
AGED 23 YEARS,
MARAMBIL HOUSE,
PUTTADY .P.O.,
ANAKKARA VILLAGE,
UDUMBANCHOLA TALUK,
IDUKKI DISTRICT,
PIN-685551.

2 **GEORGEKUTTY,**
AGED 35 YEARS,
KALAPURACKAL HOUSE,
PUTTADY .P.O.,
ANAKKARA VILLAGE,
UDUMBANCHOLA TALUK,
IDUKKI DISTRICT,
PIN-685551.

3 **KOCHUMON,**
AGED 46 YEARS,
AREEKAL HOUSE,
PUTTADY .P.O.,
ANAKKARA VILLAGE,
UDUMBANCHOLA TALUK,
IDUKKI DISTRICT,
PIN-685551.

4 RAJU,
AGED 49 YEARS,
PUTTADY .P.O.,
ANAKKARA VILLAGE,
UDUMBANCHOLA TALUK,
IDUKKI DISTRICT,
PIN-685551.

5 JOSY,
AGED 29 YEARS,
MARAMBIL HOUSE,
PUTTADY .P.O.,
ANAKKARA VILLAGE,
UDUMBANCHOLA TALUK,
IDUKKI DISTRICT,
PIN-685551.

6 ANI,
AGED 44 YEARS,
AREEKAL HOUSE,
PUTTADY .P.O.,
ANAKKARA VILLAGE,
UDUMBANCHOLA TALUK,
IDUKKI DISTRICT,
PIN-685551.

BY ADV. SRI.GHOSH YOHANNAN

RESPONDENTS:

1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM PIN - 682031

2 CIRCLE INSPECTOR OF POLICE,
VANDANMEDU POLICE STATION,
IDUKKI DISTRICT,
PIN – 685584.

R1 BY PUBLIC PROSECUTOR

OTHER PRESENT:

SRI.AJITH MURALI - PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30.09.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 30th day of September 2020

APPLICATION FOR ANTICIPATORY BAIL

The applicants are accused in Crime No. 663/2020 of Vandanmedu Police Station, Idukki district, for offences punishable under Sections 143, 144, 147, 148, 308, 294(b), 341, 323,324 and 506(ii) read with Section 149 of the I.P.C.

2. The prosecution case in brief is that the applicants were all members of an unlawful assembly and in prosecution of the common object of the said unlawful assembly they hurled abuses at the defacto complainant and another, wrongfully restrained and thereafter assaulted them with dangerous weapons like nanjak, knife, stick etc. and caused hurt to him. The assault could have proved fatal and thereby they attempted to commit culpable homicide.

3. The applicants state that they are innocent and that they have no criminal antecedents. They are willing to co-operate with the investigation. The injury is not very serious. And hence they may be released on anticipatory bail.

4. I have heard the learned counsel appearing for the applicants and also the learned Public Prosecutor.

5. Considering the manner in which the applicants had attacked the defacto complainant and another with dangerous weapons like nanjak, knife, sticks and chopper and caused injuries to the defacto complainant and another. This is not a fit case where the extra ordinary remedy of pre arrest bail can be exercised in favour of the applicants.

The applicants are therefore directed to surrender before the Investigating Officer within two weeks. In the event they being arrested, they shall be produced before the jurisdictional court where they are at liberty to apply for a regular bail which shall and preferably be disposed of in the very same date.

Sd/-
ASHOK MENON
JUDGE

NR/30/09/20