IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

Bail Appl..No.7827 OF 2020

CRIME NO.1439/2020 OF KUNNAMKULAM POLICE STATION, THRISSUR

PETITIONERS/ACCUSED:

1 **ANEESH MUHAMMED**
AGED 36 YEARS
KONJANATH HOUSE, PERUMBILAVU DESOM, P.O.PERUMBILAVU VILLAGE, KUNNAMKULAM TALUK, THRISSUR DISTRICT. 680519

2 **ASHARAF.M.A**
AGED 42 YEARS
MANALATH HOUSE,PERUMBILAVU DESAM ,PERUMBILAVU.PO 680519

3 **VAHAB**
AGED 38 YEARS
MANALATH HOUSE, PERUMBILAVU DESOM, P.O.PERUMBILAVU VILLAGE, KUNNAMKULAM TALUK, THRISSUR DISTRICT. 680519

4 **BINU**
AGED 42 YEARS
PILAKKAL HOUSE,PERUMBILAVU VILLAGE AND DESAM 680519

BY ADVS.
SRI.M.ANIL KUMAR
SMT.PREETHI K.PURUSHOTHAMAN

RESPONDENT/S:

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

R1 BY PUBLIC PROSECUTOR

OTHER PRESENT:

SRI.B.JAYASURYA SR PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03.12.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

O R D E R

Dated this the 3rd day of December 2020

This is an application seeking anticipatory bail.

2. The applicants are accused 1 to 4 in Crime No.1439/2020 Kunnamkulam Police Station for having allegedly committed offences punishable under Sections 341, 323, 324, 308 read with Section 34 of Indian penal code.

3. The prosecution case, in brief, is that on 4-10-2020 at about 8.30 pm at Anakallu, while the defacto complainant was riding a motor cycle, the applicants wrongfully restrained him and thereafter attacked him with an iron pipe causing some injuries to him and attempted to commit culpable

homicide.

4. The applicants state that the allegations are not true and that they have been falsely implicated by the de facto complainant, who had earlier attacked the mother of the second and third applicants and in order to escape from that case, a false case has been foisted against the applicants. It is also submitted that the de facto complainant has other criminal antecedents, while the applicants do not have any criminal antecedents. Hence, they seek anticipatory bail.

5. Heard the learned counsel for the applicants and the learned Public Prosecutor.

6. The learned Public Prosecutor admits that the applicants do not have any criminal antecedents. The injury

sustained is only one injury, a lacerated wound on the scalp and there is no life threatening injuries sustained by the de facto complainant. Under the circumstances, custodial interrogation of the applicant may not be necessary.

7. In the result, the bail application is allowed and the applicants are directed to surrender before the investigating officer within two weeks. In the event of their being arrested, after interrogation and recovery, if any, they shall be released on bail on execution of bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties, each for the like amount to the satisfaction of the investigating officer and on the following conditions:

(i) They shall appear before the investigating officer as

and when called for and co-operate with the investigation.

(ii) They shall not tamper with evidence or intimidate or influence the witnesses.

(iii) They shall not get involved in any similar offence during the currency of the bail.

In case of breach of any of the above bail conditions, the prosecution is at liberty to approach the jurisdictional court for cancellation of the bail.

Sd/-

ASHOK MENON

JUDGE

jg