

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.RAMKUMAR**

**FRIDAY, THE 3RD APRIL 2009 / 13TH CHAITHRA 1931**

**Bail Appl..No. 1638 of 2009()**

**CRIME NO. 71/2009 OF VANDANMEDU POLICE STATION**

**PETITIONERS/ACCUSED**

**1. JOSEPH K.M @ THOMACHAN,  
S/O.MATHEW,AGED 32,KOYICKAL HOUSE,  
ANAKKARA VILLAGE,IDUKKI DISTRICT.**

**2. MANIKUTTAN,S/O.CHINNASWAMY,  
AGED 32,KALARICKAL HOUSE,  
-DO- -DO-**

**3. CHACKO MATHEW @ MONICHAN,  
AGED 32,MARUKUMMUTTIL HOUSE,  
ACHANKANAM KARA, -DO-  
-DO- -DO-**

**4. JOHNSON @ SHAJI,S/O.SAMUEL,  
AGED 30,PUTHENMADATHIL,  
ACHANKANAM, -DO-  
-DO- -DO-**

**5. SUDHAKARAN,S/O.KUMARAN,  
AGED 38,SASTHAMPARAMBIL,  
DO- -DO-**

**6. SHANMUGAN,S/O.KARUPPAYYA,  
AGED 38,KALARICKAL HOUSE,  
-DO- -DO-**

**BY ADV. SRI.LATHEESH SEBASTIAN**

**RESPONDENT(S): STATE**

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**1. STATE OF KERALA,  
REP.BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA,ERNAKULAM.**

**2. THE SUB INSPECTOR OF POLICE,  
VANDENMEDU POLICE STATION,  
IDUKKI DISTRICT.**

**PUBLIC PROSECUTOR SRI M.S.BREEZ**

**THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD  
ON 03/04/2009, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**V. RAMKUMAR, J.**

**B.A. No. 1638 of 2009**

**Dated this the 3<sup>rd</sup> day of April, 2009**

**ORDER**

Petitioner who are the accused in Crime No.71/2009 of Vandenmedu Police Station for offences punishable under Sections 143, 147, 148, 294(b), 353, 341 read with section 149 IPC, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioners shall surrender before the investigating officer on any day between 13-4-2009 and 15-4-2009 for the purpose of interrogation and recovery of incriminating material, if any. The petitioners shall thereafter be produced on the same day before the Magistrate who shall consider and dispose of their application for regular bail preferably on the same date on which it is filed.

This petition is disposed of as above.

**V. RAMKUMAR,  
JUDGE.**

mn.