

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

Bail Appl..No. 5481 of 2015

CRIME NO. 908/2015 OF KODUMON POLICE STATION, PATHANAMTHITTA DISTRICT.
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PETITIONER/ACCUSED 5:

SHAMEEN, AGED 28 YEARS,
S/O.SAINUDEEN,
KOOTTUKOIKKALVADAKKATHIL VEETIL,
PLANTATION JUNCTION, NEDUMON MURI,
EZHAMKULAM VILLAGE, PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S

RESPONDENT(S)/STATE:

1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.
2. SUB INSPECTOR OF POLICE,
KODUMON POLICE STATION,
PATHANAMTHITTA DISTRICT-689645.

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

mbr/

A.HARIPRASAD, J.

B.A.No.5481 of 2015

Dated this the 17th day of September, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.908 of 2015 of Kodumon Police Station registered for the offences punishable under Sections 143, 144, 146, 147, 148, 308, 332 r/w Section 149 of the Indian Penal Code.

3. Prosecution case is that on 09.07.2015 at 06.30 p.m., the petitioner along with other accused persons, a members of an unlawful assembly assaulted another group of political workers. During a procession conducted by the petitioner and other persons, they attacked the Additional Sub Inspector of Police, Kodumon Police Station who was on duty and pelted stones at the Police party.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Learned counsel for the petitioner submitted that the petitioner was arrested on 22.08.2015.

6. Learned Public Prosecutor submitted that the investigation has advanced to a considerable extent. Other accused persons are yet to be arrested.

7. Considering the nature of allegations and stage of investigation, I am inclined to grant bail to the petitioner with the following conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m.

until the final report is filed.

- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) Petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/
P.A. to Judge