

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

MONDAY, THE 22ND DAY OF JULY 2024 / 31ST ASHADHA, 1946

BAIL APPL. NO. 3156 OF 2024

CRIME NO.263/2024 OF PEERUMEDU POLICE STATION, IDUKKI

PETITIONERS:

- 1 SREENATH K ,
AGED 30 YEARS
M.M.J. LANES, OLD MARKET,
VAGAMON P.O., IDUKKI, PIN - 685503
- 2 BIBIN K ,
AGED 23 YEARS
S/O KRISHNAN, KRUPA BHAVAN, PARAKETTU,
VAGAMON P.O., IDUKKI, PIN - 685503
- 3 STALIN,
AGED 40 YEARS
S/O RAJAN, LATHA BHAVAN, NARAKAKUZHI,
KOTTAMALA P.O., VAGAMON, IDUKKI,
PIN - 685503
- 4 AJEESH ANTONY,
AGED 24 YEARS
AJEESH ANTONY, S/O ANTONY,
ALAMCHERY, PARAKETTU, VAGAMON P.O.,
IDUKKI, PIN - 685503
- 5 SHAJAN N,
AGED 35 YEARS
S/O NARAYANAN, KARAKKATTUPARAMBIL,
KOTTAMALA P.O., VAGAMON, IDUKKI,
PIN - 685503
- 6 ABIN A,
AGED 25 YEARS
S/O P AYYAPPAN, SOUTH DIVISION,
VAGAMON, IDUKKI, PIN - 685503
- 7 ASOK KUMAR,
AGED 38 YEARS
S/O MANIKKARAJ M, MJ VAGAMON,

VAGAMON ESTATE, VAGAMON,
IDUKKI, PIN - 685503

8 JITHIN MOHAN,
AGED 32 YEARS
THAVUM KATTIL, KOLAHALAMEDU,
P.O. ELAPPARA, IDUKKI, PIN - 685501

9 JACOB Y,
AGED 37 YEARS
S/O YESUDAS, MATTATHIL, KOLAHALAMEDU,
P.O. ELAPPARA, IDUKKI, PIN - 685501

10 SAJI P S,
AGED 34 YEARS
PUTHANVEETIL, VAZHIKADAVU,
VAGAMON P.O., IDUKKI, PIN - 685503

BY ADVS. B. SURJITH
ARUN JOSE THOMAS
RAHANA JOSE
LIJO JOSEPH
AKSHAYA REGHU

RESPONDENT:

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

OTHER PRESENT:

PP SMT NIMA JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
22.07.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Dated this the 22nd day of July, 2024

ORDER

The application is filed under Section 438 of the Code of Criminal Procedure, 1973, for an order of pre-arrest bail.

2. The petitioners are the accused Nos.7 to 17 in Crime No.263/2023 of the Peerumedu Police Station, Idukki, which is registered against the accused for allegedly committing the offences punishable under Sections 143, 146, 147, 353 & 308 read with Section 149 of the Indian Penal Code, 1860.

3. When the bail application came up for consideration on 08.07.2024 this Court passed an interim order, by directing the petitioners to surrender before the Investigating Officer and subject themselves to interrogation.

4. Heard: Sri.B.Surjith, the learned counsel appearing for the petitioners and Smt. Nima Jacob, the

learned Public Prosecutor.

5. The learned Public Prosecutor, on instructions, submitted that, pursuant to the order dated 08.07.2024 passed by this Court, the petitioners appeared before the Investigating Officer and their interrogation has been completed. Hence, the interim order can be made absolute, subject to additional conditions. The said submission is recorded.

In the result, the bail application is allowed by making the interim order dated 08.07.2024 absolute, subject to the following conditions:

- (i) The petitioners shall co-operate with the Investigating Officer and make themselves available for interrogation as and when directed by the Investigating Officer;
- (ii) The petitioners shall not directly or indirectly make any inducement, threat or procure to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts

to the court or to any Police Officer or tamper with the evidence in any manner, whatsoever;

(iii) The petitioners shall not commit any offence while they are on bail;

(iv) The petitioners shall surrender their passports, if any, before the court below within ten days from today. If they have no passports, they shall file affidavits to the effect before the court below 10 days from today;

(v) The petitioners shall not leave India without the permission of the jurisdictional Court;

(vi) In case of violation of any of the conditions above, the jurisdictional Court shall be empowered to consider the application for cancellation of bail, if any filed, and pass orders on the same, in accordance with law.

(vii) Applications for deletion/modification of the bail conditions shall also be filed before the court below.

(viii) Needless to mention, it would be well within the powers of the Investigating Officer to investigate the matter and, if necessary, to effect recoveries on the information, if any, given by the petitioners even while the petitioners are on bail as laid down by the Hon'ble Supreme Court in ***Sushila Aggarwal v. State (NCT of Delhi) and Another*** [2020 (1) KHC 663].

Sd/-

C.S.DIAS,JUDGE

DST/22.07.24

//True copy//

P.A. To Judge