

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH

FRIDAY, THE 29TH DAY OF NOVEMBER 2013/8TH AGRAHAYANA, 1935

Bail Appl..No. 8023 of 2013 ()

CRIME NO. 1992/2013 OF KATTAPPANA POLICE STATION , IDUKKI

PETITIONER/ACCUSED :

1. VINEETH S/O.BINU AGED 24 YEARS
KARIPARAMBIL VEETIL, KOUNTHI BHAGOM, VAZHAVARA KARA
KATTAPANA VILLAGE.

2. TONY AGED 25 YEARS
S/O. JOSE, PURAYIDATHIL HOUSE, VAZHAVARA KARA
KATTAPANA VILLAGE, IDUKKI DISTRICT.

3. JOBY AGED 25 YEARS
S/O. JOY, THYTHOTTATHIL HOUSE, VAZHAVARA KARA
KATTAPPANA VILLAGE, IDUKKI DISTRICT.

4. ANTO ANTONY AGED 24 YEARS
S/O. ANTONY, PUNNAPLACKAL HOUSE, VAZHAVARA KARA
KATTAPPANA VILLAGE, IDUKKI DISTRICT.

5. ANIL AGED 26 YEARS
S/O. SEBASTIAN, CHAVARAPUZHAYIL HOUSE, VAZHAVARA KARA
KATTAPPANA VILLAGE, IDUKKI DISTRICT.

BY ADVS.SMT.DAISY A.PHILIPOSE
SRI.JAI GEORGE

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR: ADV LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29-11-2013,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

THOMAS P.JOSEPH, J.

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B.A.No.8023 of 2013

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Dated this the 29th day of November, 2013

ORDER

Petitioners are accused Nos.1 to 5, in Crime No.1992 of 2013 of the Kattappana Police Station for the offences punishable under Secs.143, 144, 147, 341, 308 and 294(b) r/w Sec.149 of the Indian Penal Code, are in custody from 20.11.2013 and seek bail.

2. Learned Public Prosecutor has submitted that on 19.11.2013 at about 9 p.m, the petitioners assaulted the de facto complainant, a Civil Police Officer by hitting him on the head with a stone and if that hit was not averted, it would have fallen on the head and cause death.

3. Learned counsel submits that the petitioners were agitating against implementation of the Gadgil Committee report and are falsely implicated.

4. Having regard to the nature of the allegations made, I am inclined to grant bail but subject to conditions and from a future date since investigation is not completed.

Resultantly this application is allowed as under:

(i) Petitioners (accused Nos.1 to 5 in Crime No.1992 of 2013 of the Kattappana Police Station) are granted bail and will be released, if

not required to be detained otherwise on their executing bond for ₹25,000/- (Rupees Twenty Five Thousand Only) each with two sureties each for the like sum each to the satisfaction of the jurisdictional magistrate and subject to the following conditions:

(a) Bail bond shall be executed within three weeks from this day.

(b) One of the sureties shall be a close relative of any of the petitioners.

(c) Petitioners shall report to the Officer investigating Crime No.1992 of 2013 of the Kattappana Police Station on every Saturday between 10 a.m and 12 p.m for a period of two months or until final report is filed, whichever is earlier.

(d) Petitioners shall report to the Investigating Officer as and when directed for interrogation, at all reasonable time and places.

(e) Petitioners shall not, during the period of this bail get involved in any offence.

(f) In case of violation of any of condition Nos.(c) to (e), the bail granted hereby is liable to be cancelled by moving application before the jurisdictional magistrate (until committal if any, and thereafter before the learned Principal Sessions Judge concerned) as held in **P.K Shaji Vs. State of Kerala (AIR**

2006 SC 100).

(x) Since investigation is not completed, this order granting bail will take effect only from **07.12.2013.**

Sd/-
THOMAS P.JOSEPH, JUDGE.

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P A to Judge