

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH P.

FRIDAY, THE 8<sup>TH</sup> DAY OF APRIL 2022 / 18TH CHAITHRA, 1944

BAIL APPL. NO. 2699 OF 2022

CRIME NO.214/2022 OF VELLIKULANGARA POLICE STATION, THRISSUR

DISTRICT

PETITIONERS/ACCUSED NOS.1 AND 2:

- 1 ABHILASH,  
AGED 40 YEARS,  
S/O PANKAJACKSHAN, NELLIPARAMBIL HOUSE,  
NADIPPARA DESOM, MATTATHUR VILLAGE,  
THRISSUR DISTRICT - 680 684.
- 2 RAHUL,  
AGED 25 YEARS,  
S/O RADHAKRISHNAN,  
THRIKKASSERY HOUSE, NADIPPARA DESOM,  
MATTATHUR VILLAGE, THRISSUR DISTRICT - 680 684.

BY ADVS.  
SANJANA RACHEL JOSE  
P.K.VARGHESE  
P.S.ANISHAD  
K.R.ARUN KRISHNAN

RESPONDENT/COMPLAINANT:

STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, PIN - 682 031.

BY SMT. SEETHA .S. (SR.PP)

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
08.04.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**ORDER**

This is an application for regular bail.

2. Petitioners are the accused Nos.1 and 2 in Crime No.214 of 2022 of Vellikulangara Police Station, Thrissur District, alleging commission of offences under Sections 341, 323, 324, 308, 294(b) and 506(ii) read with Section 34 of the Indian Penal Code. The allegation is that the petitioners along with the 3<sup>rd</sup> accused attacked one Rupesh and one Ratheesh at the Chembuchira Mahadeva Temple pooram festival with a stone tied in a cloth, causing injuries and thereby they committed the offences alleged against them.

3. The learned counsel for the petitioners would submit that the petitioners are absolutely innocent in the matter. It is submitted that actually at the instance of the 2<sup>nd</sup> petitioner, Crime No.215 of 2022 of the very same police station has been registered against the aforesaid Rupesh and Ratheesh, alleging commission of offences under Sections 294(b) and 323 read with Section 34 of the Indian Penal Code and certain provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act. It is submitted

that the allegations in Crime No.214 of 2022 had been raised only to counter the allegations in Crime No.215 of 2022. It is submitted that the petitioners have no criminal antecedents and they have been in custody for 28 days.

4. Heard the learned Public Prosecutor also. The learned Public Prosecutor points out the circumstances of the case from the record. It is submitted that the de-facto complainant suffered injuries on his head and three sutures had to be placed. It is, however, confirmed that no criminal antecedents are reported against the petitioners.

5. Having regard to the facts and circumstances of the case and considering the fact that no criminal antecedents are reported against the petitioners, I am of the view that the petitioners can be granted bail as their continued detention does not appear to be necessary for the purpose of investigation.

6. In the result, this bail application is allowed and it is directed that the petitioners shall be released on bail subject to the following conditions:

(1) Petitioners shall execute separate bonds for sums of

Rs.50,000/- (Rupees Fifty Thousand) each with two solvent sureties each for the like sum to the satisfaction of the Jurisdictional Court;

(2) Petitioners shall not attempt to interfere with the investigation or to influence or intimidate any witness in Crime No.214 of 2022 of Vellikulangara Police Station, Thrissur District;

(3) Petitioners shall report before the investigating officer in Crime No.214 of 2022 of Vellikulangara Police Station, Thrissur District, every Saturday at 11.00 A.M until further orders;

(4) Petitioners shall not involve in any other crime while on bail.

If any of the aforesaid conditions are violated, the investigating officer in Crime No.214 of 2022 of Vellikulangara Police Station, Thrissur District, may file an application before the Jurisdictional Court for cancellation of bail.

Sd/-  
**GOPINATH P.**  
**JUDGE**