SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

Azeez Vs. the State of Kerala

Azeez Vs. the State of Kerala

SooperKanoon Citation : sooperkanoon.com/1142716

Court : Kerala

Decided On : Jun-02-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Azeez

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN MONDAY, THE2D DAY OF JUNE201412TH JYAISHTA, 1936 Bail Appl..No. 3797 of 2014 () ---------- CRIME NO. 410/2014 OF CHANDERA POLICE STATION, KASARGOD ---------- PETITIONER(S)/ACCUSED16 :- ---------- 1. AZEEZ AGED61YEARS S/O.K.C.KUNHABDULLA, KAIPAD HOUSE, P.O.PADANNA VIA CHERUVATHOOR, KASARGODE DISTRICT.

2. HANEEFA U.M., AGED43YEARS S/O.ABDUL RAHIMAN MASTER, UMMATHIMEDU, P.O.PADANNA VIA CHERUVATHOOR, KASARAGODE DISTICT.

3. PATHUTTY U.M. AGED55YEARS W/O.BASHEER, UMMATHIMEDU, P.O.PADANNA VIA CHERUVATHOOR, KASARGODE DISTRICT.

4. RUKYA U.M., AGED60YEARS W/O.MUHAMMED KUNHI, UMMATHIMEDU, P.O.PADANNA VIA CHERUVATHOOR, KASARAGODE DISTRICT.

5. KALAM U.M., AGED32YEARS S/O.AZEEZ, UMMATHIMEDU, P.O.PADANNA VIA CHERUVATHOOR, KASARAGODE DISTRICT.

6. MAIMUNATH U.M., AGED28YEARS W/O.MUSTAFA, UMMATHIMEDU, P.O.PADANNA VIA CHERUVATHOOR, KASARAGODE DISTRICT. BY ADV. SRI.K.I.SAGEER RESPONDENT(S)//STATE :- ---------- THE STATE OF KERALA REPRESENTED BY SUB INSPECTOR OF POLICE (FIR NO.410/2014) CHANDERA POLICE STATION, HOSDURG KASARAGODE DISTRICT, REP. BY PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON0206-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: jvt N.K.BALAKRISHNAN, J.

---------- B.A. No.3797 of 2014 ---------- Dated this the 2nd day of June 2014

ORDER

Petitioners are the accused in Crime No.410/2014 of Chandera Police Station, Kasaragod District. The offences alleged against them are punishable under Secs.143, 147, 148, 341, 323, 324 and 452 r/w 149 of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. It is alleged that the accused persons trespassed into the house of the complainant at 6.30 PM on 4.5.2014 and beat the complainant with a stick and caused injury to her.

3. Learned counsel for the petitioners submits that the mother of the petitioners was forcibly evicted by the de facto complainant from her house and so, that was questioned by the petitioners, who are near relatives.

4. Considering all the aspects the following directions are issued: The petitioners shall surrender before the Investigating Officer within 10 days from today. After interrogation the accused shall be produced before the learned B.A. No.3797 of 2014 -:

2. :- Magistrate. When applied for bail by the accused, the learned Magistrate will grant bail to the petitioners but on the following conditions: a. The accused shall execute a bond for 25,000/- (Rupees Twenty Five Thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate. If in case the Magistrate has any doubt about the genuineness or correctness of the tax receipts produced by the sureties, the learned Magistrate can insist for production of the attested photo copies of the original title deeds of the sureties. b. The accused shall make themselves available for interrogation by the Investigating Officer and should appear before the Investigating Officer on all Mondays between 9.30 AM to 11.30 AM until further orders. c. The accused shall produce their original passports before the learned jurisdictional Magistrate. If they are not having any valid passport, they should file an affidavit regarding the same before the Magistrate. d. The accused will also file affidavit that they will abide by all the conditions as mentioned above and that they will not commit any offence similar to the offence involved in this case and will not directly or indirectly make any inducement, threat or promise to any B.A. No.3797 of 2014 -:

3. :- person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence. e. The accused shall not leave India without permission of the court. f. The learned Magistrate will also ensure the identity of the sureties by insisting production of electoral photo identity cards/Driving licence etc. Sd/- N.K.BALAKRISHNAN, J UDGE. //True Copy// P.A. To Judge Jvt

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com