

Rasheed Vs. the State of Kerala

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Court : Kerala

Decided On : Jun-04-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Rasheed

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN WEDNESDAY, THE 4TH DAY OF JUNE 2014 14TH JYAISHTA, 1936 Bail Appl..No. 3666 of 2014 (C) ----- CRIME NO. 390/2014 OF BEKAL POLICE STATION , KASARGOD PETITIONER(S)/PETITIONERS:

----- 1. RASHEED AGED 32 YEARS S/O.P MOOSA, P V K HOUSE, NORTH CHITTARI P O KASRAGOD , PIN-671316 2. FAIZAL, AGED 28 YEARS S/O.B MUHAMADH, BANKICHERY HOUSE, NORTH CHITTARI P O KASRAGOD , PIN-671316 3. SHAKEEL AGED 30 YEARS S/O.AHAMADH, SHAKEEL HOUSE, KOLAVAYAL P O KASARAGOD, PIN-671531 4. NISSAR AGED 27 YEARS S/O.IBHRAHIM, P V K HOUSE, NORTH CHITTARI P O KASARAGOD, PIN-671316 5. JUNAIDH AGED 25 YEARS S/O.KUNJAHAMADH, NORTH CHITTARI P O, KASARAGODE PIN-671316 6. SUROOR AGED 28 YEARS S/O.AHAMADH, V V HOUSE, NORTH CHITTARI P O KASRAGODE, PIN-671316 BY ADV. SRI.P.A.MUJEEB RESPONDENT(S)/RESPONDENTS: ----- THE

STATE OF KERALA REP BY THE C I OF POLICE, BAKEL POLICE STATION KASARAGOD DIST, THROUGH THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM, COCHIN-31 BY PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/06/2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: JJJ N.K. BALAKRISHNAN, J.

----- B.A. No. 3666 of 2014
----- Dated this the 4th day of June, 2014

ORDER

Petitioners are A1, A3 to A5 and A7 to A9 in Crime No.390/2014 of Bakel Police Station, Kasargode District. Offences alleged are under sections 143, 147, 148, 427, 452 and 506(i) r/w 149 of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. The allegation is that on 11.05.2014 at about midnight, 00.45 hrs, the accused trespassed into the compound of the complainant's house and threatened to kill her. They also caused damage to the glasses of the window, it is alleged.

3. The learned counsel for the petitioners submits that there was dispute with the complainant's son with regard to the conduct of football tournament alleging that there was mismanagement and because of misconception of facts, this complaint has been filed. B.A. No. 3666 of 2014 -2- 4. Considering all the aspects the following directions are issued: The petitioners shall surrender before the Investigating Officer within two weeks from today. After interrogation the accused shall be produced before the learned Magistrate. When applied for bail by the accused, the learned Magistrate will, considering the nature of the case, grant bail to the petitioners but on the following conditions: a. The petitioners shall execute a bond for Rs.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.A. No. 3666 of 2014 -3- b. The petitioners shall make themselves available for interrogation by the Investigating Officer and shall appear before the Investigating Officer on all Mondays between 9.30 AM to 11.30 AM until further orders. c. The petitioners shall surrender 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 petitioners will also file an 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 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 B.A. No. 3666 of 2014 -4- with the evidence. e. The petitioners shall not leave India without the prior permission of the learned Magistrate. f. The learned Magistrate will also ensure the identity of the sureties by insisting production of electoral photo identity cards/Driving licence etc. g. Petitioners shall also deposit Rs.1,000/- (Rupees One thousand only) each before the trial court. Sd/- N.K. BALAKRISHNAN, JUDGE //True Copy// P.A. to Judge jjj

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