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Fayiz vs State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1760848

Court : Kerala

Decided On : Mar-23-2020

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : Bail Appl./2172/2020

Appellant : FAYIZ

Respondent : State of Kerala

Judgement :

B.A NO.2172/2020 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN MONDAY, THE 23RD DAY OF MARCH 2020 / 3RD CHAITHRA, 1942 Bail Appl..No.2172 OF 2020 CRIME NO.111/2020 OF Nilambur Police Station , Malappuram PETITIONER/ACCUSED: FAYIZ AGED 20 YEARS S/O.HAMZA.K.T, KOLTHODI HOUSE, CHANTHAPPADI, MELATTOOR.P.O-679326, MALAPPURAM DISTRICT BY ADV. SRI.P.M.RAFIQ RESPONDENT/COMPLAINANT: STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-682031 SRI.REMESH CHAND -PUBLIC PROSECUTOR THIS BAIL APPLICATION HAVING COME UP FOR

ADMISSION ON 23.03.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: B.A NO.2172/2020 2

ORDER

Dated this the 23rd day of March, 2020 The petitioner is one of the accused in Crime No.111/2020 of Nilambur Police Station. The above case is registered alleging the offences punishable under Sections 143, 145, 147, 148, 188 and 353 r/w 149 IPC and under Section 3(2) of the P.D.P.P Act.

2. The prosecution case is that when defacto complainant,

the Sub Inspector of Police reached the MES College to control dispute among students, he was restrained, did not obey his directions, pushed him, thereby prevented him from performing his official duty and destroyed the window glass of police jeep throwing stone at the vehicle. The FIR is registered against around 100 persons identifiable by sight.

3. It is submitted by the learned counsel for the petitioner that one of the accused is already released on bail by order dated 20.3.2020 in B.A.No.1638/2020. In the light of the above facts, this bail application is allowed on the following conditions: B.A NO.2172/2020 3

i) The petitioner shall surrender before the investigating officer within ten days from today. ii) In the event of his arrest he shall be released on bail on executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like sum. iii) The petitioner shall appear before the investigating officer as and when required.

Sd/- P.V.KUNHIKRISHNAN JUDGE ab

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