

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Before

THE HON'BLE MR. JUSTICE SHAJI P. CHALY

&

THE HON'BLE MR. JUSTICE ASHOK MENON

Tuesday, the 5th day of May, 2020/15th Vysakh, 1942

Crl. M.A. 1 of 2020 in Crl. A. No. 1151 of 2019

APPELLANT/ACCUSED NO: - 1,2,3,6,7,11 & 12:

1. Syanu Chacko @ Shanu, Aged 26, S/o. Chacko John, Syanu Bhavan, Near Ottakkal Railway Station, Ottakkal P.O., Ottakkal Desom, Thenmala Village, Pathanapuram Taluk, Kollam District. **(A-1)**
2. Niyasmon @ Chinnu, Aged 23, S/o. Nazrudheen, Nishana Manzil, Thekkumkoop Pattayam Road, Edamon Muppathinalu Kara, Edamon Village, Pathanapuram taluk, Kollam District. **(A-2).**
3. Ishan Ismail, Aged 20, S/o. Ismail, Thazhathu House, Thekkumkoop Bhagom, Edamon Kara, Edamon Village, Kollam District. **(A-3).**
4. Manu Muraleedharan, aged 26, S/o. Muraleedharan, Thengumtharayil Puthen Veetil, Near Jayabharatham Mental Hospital, Punalur Village, Punalur taluk, rented at Asoka Bhavan, (Owned by Babu, S/o. Rajayya Pillai), Thazhekkadavathikal, Near Pappannoor Junction, Punalur Kara, Punalur Village, Kollam District. **(A-6)**
5. Shiffin Sajad, aged 27, S/o. Sajad, Maruthamon House, Near Punalur Market, Punalur Village, Punalur Kara, Pathanapuram Taluk, Kollam District, Rented at Anshad Manzil, (Owned by Ansar), Bharanikkavu Temple Bhagom, Punalur P.O., Punalur Kara, Punalur Village, Kollam District. **(A-7)**
6. Fazil Sherief @ Appus, Aged 25, S/o. Sherief, Maruthivila

House, Moosavarikkunnu Bhagom, Punalur P.O., Punalur Village, Punalur taluk. Rented at Almanhal Manzil, (Owned by Kabeer), Moosavarikkunnu Bhagom, Punalur Municipality, Punalur Village. **(A-11)**

7. Shanu, aged 24, S/o. Shajahan, Koonamkuzhiyil-Charivila House, near Punalur Papper Mill, Punalur Village, Punalur Taluk (Now residing with Omana, Eattivila House, near St. Antony's Church, Gracing Block bhagam, ward No. XVIII, Punalur Municipality, Valakkodu Village. **(A-12)**

By

Sri. Sasthamangalam S. Ajithkumar

RESPONDENT/COMPLAINANT:

State of Kerala represented by the Public Prosecutor, High Court of Kerala, Ernakulam-682 031.

By Sri. T.B. Hood, Special Public Prosecutor

This Crl. Appeal having come up for orders on 05.05.2020, the court on the same day passed the following:

SHAJI P. CHALY & ASHOK MENON, JJ.

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Crl. M.A. No. 1 of 2020

in

Crl. A. No. 1151 of 2019

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Dated this the 5th day of May, 2020

ORDER

SHAJI P. CHALY, J.

This is an application filed by the first accused in S.C. No. 381 of 2018 on the files of the Sessions Court, Kottayam, which is in appeal before this Court as Crl. Appeal No. 1151 of 2019. The petitioner along with other accused stood convicted for the offences punishable under Sections 120B, 449, 427, 506(ii), 323, 342, 201, 364, 364A and 302 r/w Section 34 IPC. Sentences were ordered to run concurrently with the offence under Section 302 of IPC.

2. This application is filed by the petitioner seeking to grant interim bail for a period of 15 days, especially due to the reason that his father has serious heart ailment and in order to visit him, the petitioner requires interim bail.

3. This application is seriously opposed by the learned Special Public Prosecutor, Sri. T.B Hood. He has also submitted that

he is appointed as a Special Public Prosecutor just before the lock down was declared by the State Government and he has received the files from the office of the Advocate General only on 04.05.2020, and he seeks two weeks' time to file objection to the same.

In that view of the matter, this matter is posted to 19.05.2020 for statement/objection of the learned Special Public Prosecutor.

SHAJI P. CHALY, JUDGE.

ASHOK MENON, JUDGE.

Rv

Crl. A. No. 1151/2019

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