

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

Bail Appl..No. 9050 of 2014 ()

**CRIME NO. 3057/2014 OF MUVATTUPUZHA POLICE STATION,
ERNAKULAM DISTRICT**

PETITIONER/ACCUSED :

**ELDHOSE @ BASIL, AGED 34 YEARS, S/O. PAULOSE,
MUTTAPPILLIL HOUSE, SOUTH MARADI KARA,
MARADI VILLAGE, MUVATTUPUZHA TALUK,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.R.KRISHNAKUMAR (CHERTHALA)
SMT.TINY THOMAS
SRI.CEJO J.THYSCHERY**

RESPONDENT/STATE :

**STATE OF KERALA
REP. BY SUB INSPECTOR OF POLICE
MUVATTUPUZHA POLICE STATION, (CRIME NO. 3057/2014)
MUVATTUPUZHA, ERNAKULAM DISTRICT
REP THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-12-2014, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

B.A.No.9050 of 2014

Dated this the 30th day of December, 2014

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.3057/2014 of Muvattupuzha Police Station registered for the offences punishable under Sections 353 and 506(i) of the Indian Penal Code.

3. The allegation against the petitioner is that on 5.12.2014 at 10.30 a.m., while the defacto complainant, who is the Sub Inspector of Police, Muvattupuzha went for enquiring about the unlawful removal of soil from a property, his duty was obstructed by the petitioner by pushing him away and by intimidating him.

4. Heard learned counsel for the petitioner and learned Public Prosecutor.

5. The contents of the C.D., reveal that the investigation of the case is practically over. This is not a case in which the custodial interrogation of the petitioner is required for the continued investigation of this case. Considering the facts and circumstances of the case and the present stage of investigation, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

6. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

- (i) The petitioner shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Fridays and Tuesdays, commencing from

02.01.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

**Sd/-
B.KEMAL PASHA,
JUDGE**

dl

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PA to Judge