

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

Bail Appl.No. 196 of 2015

CRIME NO. 2490/2014 OF KALADY POLICE STATION, ERNAKULAM
.....

PETITIONER(S)/2ND ACCUSED:

**JINTO, AGED 29 YEARS,
S/O.URUMEESE, KIDANGEN HOUSE, NADUVATTOM KARA,
NEELESWARAM, KALADY VILLAGE.**

**BY ADVS.SRI.PAUL K.VARGHESE
SMT.A.A.GEETHA**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
SUB INSPECTOR OF POLICE, KALADY POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
29-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B.KEMAL PASHA, J.

B.A.No.196 of 2015

Dated this the 29th day of January 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the second accused in Crime No.2490/2014 of Kalady police station registered for the offences punishable under Sections 452, 354, 294(b) and 506(ii) read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner and the other accused is that on 18.12.2014 at 8.30 p.m., they committed house trespass into the house of the de-facto complainant woman, abused her and caught hold of her hand, thereby outraging her modesty.

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

5. No criminal antecedents have been reported against the petitioner. The contents of the C.D. reveal that the investigation of this case is practically over. I do not think that 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 absence of criminal antecedents on the part of the petitioner, 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 Rs.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 Thursdays and Mondays commencing from 5.2.2015 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