

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

Bail Appl..No. 270 of 2015

CRIME NO. 971/2014 OF RAMAPURAM POLICE STATION, KOTTAYAM DISTRICT

PETITIONER(S)/ACCUSED NO.1 :

**JINO JOHN, AGED 33 YEARS,
VADAKETHUNDIYIL HOUSE, PIZHAKU POST, MANATHOOR KARA,
RAMAPURAM VILLAGE.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/STATE :

**1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031,
(CRIME NO.971/2014 OF RAMAPURAM POLICE STATION
KOTTAYAM DISTRICT).**

**2. STATION HOUSE OFFICER,
RAMAPURAM POLICE STATION,
KOTTAYAM DISTRICT-686 591(CRIME NO.971/2014 OF
RAMAPURAM POLICE STATION, KOTTAYAM DISTRICT).**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

.....
Bail Application No. 270 of 2015
.....

Dated this the 9th day of March, 2015.

O R D E R

Petition under Section 438 Cr.P.C.

2. Petitioner is the first accused in Crime No.971/2014 of Ramapuram Police Station registered for the offences punishable under Sections 452, 323, 324, 294(b), 506(i) read with Section 34 IPC.

3. The allegation against the petitioner and the other accused is that on 18-12-2014 at 7.30 pm, they pelted stones on the house of the de-facto complainant and when the de-facto complainant got inside and took shelter in his house, they chased him and trespassed into the hall room, where the petitioner and the second accused beat the de-facto complainant with sticks and A3 and A4 slapped and pushed him down.

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

5. On perusal of the wound certificate it seems that the de-facto complainant has sustained some trivial injuries like two abrasions. The only non bailable offence alleged is the one under Section 452 IPC. Considering the facts and circumstances of the case, I do not think that the custodial interrogation of the petitioner is required for the continued investigation of the case.

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 Mondays and Thursdays, commencing from 16-3-2015 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.

B.KEMAL PASHA, J.

(Judge)

smm