

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

Bail Appl..No. 331 of 2015 ()

CRIME NO. 7/2015 OF PAYYAVOOR POLICE STATION, KANNUR DISTRICT

PETITIONER/ACCUSED :

**UNNIKRISHNAN V.K.,
S/O.KRISHNAN NAMBIAR, AGED 37 YEARS, VAYORA HOUSE
MUTHARIKULAM, PAYYAVOOR P.O., PAYYAVOOR AMSOM
TALIPARAMBA TALUK, KANNUR DISTRICT.**

**BY ADVS.SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM THROUGH S.H.O
PAYYAVOOR POLICE STATION, KANNUR DT.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

B.KEMAL PASHA, J.

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B.A. No. 331 of 2015

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Dated this the 5th day of February, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.7 of 2015 of the Payyavoor Police Station, registered for the offence punishable under Section 353 of the Indian Penal Code.

3. The allegation against the petitioner is that on 07.01.2015, while the defacto complainant CPO and other police officers were engaged in law and order duty in connection with the festival at Kunnathoorpadi Devasthanam, they could see that the petitioner had parked his auto-taxi bearing registration No.KL-59-J-4019 in front of the building attached to the temple. When the defacto complainant directed him to remove the auto-taxi from that place, he pushed the defacto complainant, thereby deterring him from discharge of his official duty.

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

5. No criminal antecedents have been reported against the petitioner. This is not a case wherein the custodial interrogation of the petitioner is required for the continued investigation of this case. It seems that the investigation of this case is practically over. Considering all the above, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

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 for the like sum each 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 09.00 a.m. and 11.00 a.m. on all Thursdays and Mondays commencing from 12.02.2015 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

DSV/5/2/15

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P.A. To Judge

