

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

Bail Appl..No. 456 of 2015 ()

CRIME NO. 38/2015 OF PERINGOME POLICE STATION,KANNUR DISTRICT

PETITIONER/ACCUSED:

**MUHAMMED K., AGED 25 YEARS,
S/O.KUNHIMOIDEEN, KANAPPURAM HOUSE,
CHEEMENI AMSOM, ATHOOTTIPAYAM,
KASARAGOD DISTRICT.**

**BY ADV. SRI.M.SASINDRAN
SRI.ARUNKUMAR.A**

RESPONDENT(S)/COMPLAINANT & STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**
- 2. THE STATION HOUSE OFFICER,
PERINGOME POLICE STATION (CRIME NO.38 OF 2015),
KANNUR DISTRICT - 670 001.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B.KEMAL PASHA, J.

.....
B.A. No. 456 of 2015
.....

Dated this the 28th day of January, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.38/2015 of the Peringome Police Station, Kannur registered for the offences punishable under Sections 452, 323, 506(i) and 354 of the Indian Penal Code.

3. The allegations against the petitioner is that on 11.01.2015 at 10.15 p.m., he trespassed into the house of the defacto complainant and beat the defacto complainant woman and her children, and criminally intimidated them. The petitioner was arrested on 13.01.2015 and thereafter he has been in custody.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor. The learned Public Prosecutor has opposed the petition.

5. No criminal antecedents have been reported against the petitioner. The contents of the CD reveal that the investigation of this case is practically over. Continued detention of the petitioner in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the absence of any criminal antecedents on his part, I am of the view that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, 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 Wednesdays and Saturdays commencing from 04.02.2015 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

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[True copy]

P.S. to Judge