

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

Bail Appl..No. 496 of 2015

CRIME NO. 2812/2014 OF CHALAKKUDY POLICE STATION, TRISSUR.
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PETITIONER/1ST ACCUSED:

**DAVIS, AGED 46,
S/O.DEVASSYKUTTY,
KURISINGAL HOUSE,
PARIYARAM VILLAGE,
KUTTIKAD, THRISSUR.**

BY ADV. SRI.G.SREEKUMAR (CHELUR)

STATE OF KERA/COMPLAINANT:

**THE STATE OF KERALA,
THROUGH THE SUB INSPECTOR OF POLICE,
CHALAKUDY POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682031.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B.KEMAL PASHA, J.

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B.A. No. 496 of 2015

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Dated this the 11th day of March, 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.2812/14 of Chalakudy Police Station, registered for the offences punishable under Sections 294(b), 332 and 506(ii) read with Section 34 IPC.

3. The allegation against the petitioner is that on 24.12.2014 at 3.15 p.m., he opened the door of the driver's cabin of the KSRTC bus, which was being driven by the de facto complainant and fisted the de facto complainant by alleging that the de facto complainant has not cared to give side to the vehicle being driven by the petitioner. It is alleged that the other accused criminally intimidated and abused the de facto complainant. Due to the incident, it is alleged that the petitioner could not continue with his official duties.

4. Heard learned counsel for the petitioner and learned

Public Prosecutor.

5. The contents of the C.D reveal that the investigation of this case is practically over. No criminal antecedents have been reported against the petitioner. 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 this case. Matters being so, 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 Wednesdays and Saturdays, commencing from 18.3.2015 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.

Sd/-
B.KEMAL PASHA, JUDGE

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