

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

Bail Appl.No. 507 of 2015

CRIME NO. 30/2015 OF PIRAVAM POLICE STATION, ERNAKULAM

.....,

PETITIONER(S)/ACCUSED:

**SATHEESAN P.G., AGED 36 YEARS,
S/O.GOPI, SATHEESH BHAVAN,
PULICKAMALY P.O. PAMBRA, ERNAKULAM DISTRICT.**

BY ADV. SRI.JOHN T.PAUL

RESPONDENT(S)/COMPLAINANT AND STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE STATION HOUSE OFFICER,
PIRAVOM POLICE STATION, ERNAKULAM DISTRICT,
PIN - 686 664.**

BY PUBLIC PROSECUTOR SMT.LALIZY T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
09-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B.KEMAL PASHA, J.

=====

B.A. No. 507 of 2015

=====

Dated this the 9th day of February, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.30 of 2015 of the Piravom Police Station, registered for the offences punishable under Sections 294(b), 506(ii) 452, 323 and 427 of the Indian Penal Code.

3. The allegation against the petitioner is that on 11.01.2015 at 12.30 p.m., he abused the defacto complainant, who was standing at his courtyard, and with the stump of a coconut leaf, he chased him when he rushed into his house, and beat him and smashed the household articles worth ₹250/-, thereby causing a wrongful loss of ₹250/- to the defacto complainant.

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

5. The learned counsel for the petitioner has pointed out that the petitioner was irritated to the maximum when the defacto complainant had made certain sexual overtures towards the wife of the petitioner and thereby a scuffle occurred. No criminal antecedents have been reported against the petitioner. The contents of the CD reveal that the investigation of this case is practically over. This is not a case wherein the custodial interrogation of the petitioner is required for the continued investigation of this case. Considering all the above, I am of the view that 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 ₹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 Mondays and Thursdays commencing from 16.02.2015 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/9/2/15

// True Copy //

P.A. To Judge

