

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

Bail Appl..No. 1074 of 2015

CRIME NO. 161/2015 OF MUNAMBOM POLICE STATION , ERNAKULAM

PETITIONER/ACCUSED NO 1:

**SIJO, S/O.JOSEPH, AGED 36 YEARS
KAITHARAM HOUSE, CHERAI,
ERNAKULAM DISTRICT.**

BY ADV. SRI.MANSOOR.B.H.

RESPONDENT/COMPLAINANT/STATE:

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM THROUGH STATION HOUSE OFFICER
MUNAMBOM POLICE STATION, ERNAKULAM DISTRICT.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

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Crl.M.C. No. 1074 of 2015

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Dated this the 5th day of March, 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.161/2015 of the Munambom Police Station, Ernakulam District, registered for the offences punishable under Sections 323, 324 and 326 IPC.

3. The allegation against the petitioner is that on 7.2.2015 at 8.45 p.m., he slapped and beat the de facto complainant with a iron rod like weapon , thereby causing injuries and fracture of the head of 5th right metacarpal.

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

5. The learned counsel for the petitioner has pointed out that the petitioner is none other than the brother in law of the de facto complainant. The de facto complainant has deserted the sister of the petitioner and even after that, he used to come to the house of

the petitioner in order to entertain quarrels with his sister and parents. According to the learned counsel for the petitioner, on the date of incident, as usual, the de facto complainant came over there and entertained a quarrel with the parents of the petitioner. When the parents of the petitioner were attacked by him, the petitioner intervened to their rescue and a scuffle occurred.

6. No criminal antecedents have been reported against the petitioner. The investigation of the case is practically over. The custodial interrogation of the petitioner is not required for the continued interrogation of the case. Considering the facts and circumstances of the case, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

7. 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 Thursdays and Mondays, commencing from 12.03.2015 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.A to Judge

