

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

Bail Appl..No. 1208 of 2015

CRIME NO. 296/2015 OF MATHILAKAM POLICE STATION , THRISSUR DISTRICT

PETITIONER(S)/ACCUSED 1 & 2 :

- 1. MOHANAN, AGED 74 YEARS,
S/O. AYYAPPUNNI, VALIPPARAMBIL HOUSE, PAINOOR DESOM,
EDATHURUTHY VILLAGE, KODUNGALLUR.**
- 2. TILAKAN, AGED 65 YEARS,
S/O. AYYAPPUNNI, VALIPPARAMBIL HOUSE, PAINOOR DESOM,
EDATHURUTHY VILLAGE, KODUNGALLUR.**

**BY ADVS.SRI.M.SHAJU PURUSHOTHAMAN
K.S.RAJESH**

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031,
REPRESENTING THE S.I. OF POLICE, MATHILAKAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

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B.A. No. 1208 of 2015

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Dated this the 18th day of March, 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioners are the accused in Crime No.296/2015 of the Mathilakam Police Station registered for the offences punishable under Sections 447 and 354 read with Section 34 IPC.

3. The allegation against the petitioners is that on 5.2.2015 at 10 a.m., they trespassed into the property of the de facto complainant woman and the 1st accused pulled her by catching on her hand and the 2nd petitioner pushed her down by pushing on her chest, thereby outraging her modesty.

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

5. It seems that the investigation of the case is practically over. No criminal antecedents have been reported against the petitioners. It seems that the present case is registered as a counter

case as against Crime No.297/2015 of the Mathilakom Police Station registered for the offences punishable under Sections 447, 427 and 294(b) IPC. Considering the facts and circumstances of this case, and the fact that this case is registered as counter to Crime No.295/2015, I am of the view that anticipatory bail can be granted to the petitioners.

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 petitioners, is directed to enlarge the petitioners on bail in the event of their arrest on each of them 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 petitioners shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays, commencing from

25.3.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioners shall not tamper with the evidence or influence witnesses.

(iii) The petitioners shall make themselves available for interrogation as and when required by the investigating officer.

(iv) The petitioners 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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P.A to Judge