

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936**

**Bail Appl..No. 1312 of 2015**  
-----

**CRIME NO. 122/2015 OF KUZHALMANNAM POLICE STATION , PALAKKAD**  
-----

**PETITIONER(S)/ACCUSED NO.1:**  
-----

**MUHAMMED RAMJEED @ BABU, AGED 30 YEARS  
S/O.ABDUL MAJEED, M.R.MANZIL, MATTUKAD  
KUZHALMANNAM, ALATHUR TALUK, PALAKKAD DISTRICT.**

**BY ADV. SRI.NIREESH MATHEW**

**RESPONDENT(S)/COMPLAINANT:**  
-----

**STATE OF KERALA  
REPRESENTED BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13-03-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**PJ**

**B.KEMAL PASHA, J.**

=====

B.A. No. 1312 of 2015

=====

Dated this the 13<sup>th</sup> day of March, 2015

**ORDER**

Petition under Section 438 Cr.P.C.

2. Petitioner is the 1<sup>st</sup> accused in Crime No.122/2015 of the Kuzhalmannam Police Station, Palakkad District, registered for the offences punishable under Sections 143, 147, 148, 341, 323, 324, 332 and 353 read with Section 149 IPC.

3. While a 'Ganamela' was going on, some persons were found engaged in the form of dance at the road margin. When the police party under the leadership of the de facto complainant asked them to move away, it is alleged that someone among them pelted a stone on to the face of the de facto complainant whereby he sustained an abrasion below his left lower eyelid.

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

5. The learned counsel for the petitioner has pointed out that

in fact, no such incident had occurred in which the police party was attacked. Unnecessarily the police interfered when the 'Ganamela' was going on and they have created scenes, which had resulted in a push and pull among the persons watching the 'Ganamela'. Apart from that, no such incident had occurred. On going through the contents of the C.D., I do not find any serious incident occurred there. No criminal antecedents have been reported against the petitioner. Matters being so, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

5. 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 Fridays and Tuesdays, commencing from 20.03.2015 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**

stu/-

[True copy]

P.A. to Judge