

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

Bail Appl..No. 1777 of 2015 ()

CRIME NO. 174/2015 OF SREEKRISHNAPURAM POLICE STATION, PALAKKAD

PETITIONER/ACCUSED NO.4 :

**AJESH,
S/O.KUTTAN, AGED 20 YEARS
KALLITHODI HOUSE, PALOD POST
THACHANATTUKARA, MANNARKKAD,
PALAKKAD DISTRICT.**

**BY ADVS.SRI.C.M.KAMMAPPU
SRI.MANSOOR B.H.**

RESPONDENTS/COMPLAINANT/STATE :

**STATE OF KERALA
REP. BY PUBLI PROSECUTOR
HIGH COURT OF KERALA
REPRESENTING THROUGH STATION HOUSE OFFICER
SREEKRISHNAPURAM POLICE STATION
PALAKKAD DISTRICT.**

BY PUBLIC PROSECUTOR SMT R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.1777 of 2015

Dated this the 2nd day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioner is the fourth accused. He along with the co-accused is alleged to have committed the offences under Sections 341, 324, 326 read with Section 34 of Indian Penal Code.

3. The prosecution case is that they wrongfully restrained the victim and assaulted him with a stone causing fracture of his nasal bone.

4. Heard.

5. The prosecution case is that the first and second accused used stone to assault the victim who sustained fracture of his nasal bone. There is no allegation that the petitioner was armed. He pushed down the victim and thereafter when the victim got up he wrongfully restrained him. But it was then the other accused assaulted the victim. The petitioner is only 20 years.

6. Having regard to these facts I am inclined to grant his prayer for anticipatory bail.

In this result, this application is allowed.

1. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the police in connection with this case.

2. He shall appear before the investigating officer for interrogation if he is so required by him in writing.

3. He shall not destroy or tamper with evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge