

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

Bail Appl..No. 1955 of 2015 ()

CRIME NO. 105/2015 OF CHERUTHURUTHY POLICE STATION ,THRISSUR DISTRICT

PETITIONER/2ND ACCUSED :

**MANIKANDAN, AGED 35 YEARS,
S/O.KUNHAN, CHATHANISSERI HOUSE, VAREVATTOOR DESAM,
DESAMANGALAM VILLAGE, THALAPPILLY TALUK, THRISSUR.**

**BY ADVS.SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN**

RESPONDENTS/STATE:

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

***ADDL.R2 TO R4 IMPEADED**

***ADDL.R2: VARIJAKSHAN, AGED 56 YEARS,
S/O.LATE RAMAN NAIR, KALAKUNNATHU HOUSE,
P.O.PALLUR, DESAMANGALAM, THRISSUR DISTRICT.**

***ADDL.R3: SASIKUMAR, AGED 42 YEARS, S/O.LATE RAMAN NAIR,
KALAKUNNATHU HOUSE, P.O.PALLUR, DESAMANGALAM,
THRISSUR DISTRICT.**

***ADDL.R4: SARASWATHY.U.P., AGED 53 YEARS, D/O.KRISHNAN,
UTHARAMPAMBIL HOUSE, P.O.PALLUR, DESAMANGALAM,
THRISSUR DISTRICT.**

***ADDL.R2 TO R4 ARE IMPEADED AS PER ORDER DATED 05/08/2015 IN
CRL.M.A.NO.6620/2015.**

**R1 BY PUBLIC PROSECUTOR SMT. R.REMA
ADDL.R2 TO R4 BY ADV. SRI.C.U.SANGEETH**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 05-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.1955 of 2015

Dated this the 5th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.105 of 2015 of Cheruthuruthy Police Station, Thrissur District. He is accused of having committed the offences under Sections 341, 323, 324, 354 and 452 read with Section 34 of the Indian Penal Code.

3. The prosecution case is that he trespassed into the victim's house, wrongfully restrained and assaulted her and outraged her modesty.

4. Heard.

5. The petitioner and the victim are neighbours. There is a civil dispute between them; it appears that this is essentially an assault case. The learned counsel for the petitioner and additional respondents 2 to 4 submit that the matter has been settled also. I am satisfied that this is a fit case to grant anticipatory bail.

In the 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) 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 get himself involved in any other criminal case while he is on bail.

4. He shall not intimidate or attempt to influence the witnesses.

5. He shall not destroy or tamper with the evidence.

6. He shall surrender his passport before the lower court concerned or if he does not have one, he shall file an affidavit to that effect within five days of his release.

7. He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

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

If the petitioner surrenders before the Magistrate this

order is not applicable and the learned magistrate may pass appropriate orders.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge