

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

Bail Appl..No. 2028 of 2015 ()

CRIME NO. 152/2015 OF POTHUKAL POLICE STATION , MALAPPURAM DISTRICT

PETITIONER/ACCUSED NO.1:

**RAHUL VIJAYAN, S/O. VIJAYAN, AGED 22 YEARS,
EDAVOORMELE PUTHENVEEDU, ATHIYANNOOR,
ARALUMMOODU P.O., NEYYATINKARA,
THIRUVANANTHAPURAM DISTRICT.**

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

RESPONDENT/COMPLAINANT/STATE :

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031,
(THROUGH STATION HOUSE OFFICER,
POTHUKAL POLICE STATION, MALAPPURAM DIST)**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

=====

B.A.No. 2028 of 2015

Dated this the 17th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 354 read with Section 34 of the Indian Penal Code, 1860 and Section 3(2) (V) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. Heard.

4. Learned counsel submits that the petitioner also belongs to a scheduled caste. He relies on Annexure -A, copy of the certificate issued by the Tahasildar concerned. The certificate proves that he belongs to 'Hindu-Ayyanavar' caste which is a scheduled caste.

5. The other offences are not of serious nature. So, I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

1)The petitioner shall be released on bail 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)The petitioner 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.*
- 3)He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.*
- 4)He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.*
- 5)He shall not intimidate or attempt to influence the witnesses.*
- 6)He shall not destroy or tamper with evidence.*
- 7)He shall not get himself involved in any other criminal case while he is on bail.*

If the petitioner surrenders before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

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

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge