

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

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

Bail Appl..No.2036 of 2015

CRIME NO.334/2015 OF KILIKOLLOOR POLICE STATION,KOLLAM.

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PETITIONER:

**SHANAVAS.A,S/O.ABDUL KALAM,AGED 36 YEARS,
"SHANAVAS MANZIL",KILIKOLLOOR,
NAKSTHATRA NAGAR - 63,KALLUMTHAZHAM P.O.,
KOLLAM.**

**BY ADVS.SRI.T.R.RAJAN
SRI.R.KISHORE (KALLUMTHAZHAM)**

RESPONDENT'S:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM -682031.**
- 2. THE SUB INSPECTOR OF POLICE,
KILIKOLLOOR POLICE STATION,KOLLAM- 691 001.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH.

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

pk

K. ABRAHAM MATHEW, J.

Bail Appl. No.2036 of 2015

Dated this the 2nd day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. The petitioner is said to have committed the offences under Secs.341, 294(b), 323, 324 and 308 of the Indian Penal Code. The prosecution case is that he uttered obscene words, wrongfully restrained the first informant and assaulted him with a knife.

3. Heard both sides.

4. Learned counsel submits that the allegations are false and he is the victim who sustained injuries at the hands of the first informant and others.

5. It is not in dispute that the Police have registered a case, Crime No.335 of 2015 against the first informant and others for allegedly assaulting the petitioner in this case. The wound certificate in that case proves that the petitioner sustained lacerated wound of a sizable nature on the scalp. On the other hand, the first informant in this case sustained injuries on the hand only. It is not proper for me to make any comment on the

merits of this case. But the prosecution does not dispute the injuries sustained by the petitioner. Hence I am inclined to grant him anticipatory bail.

In the result, this bail 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 the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /