

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 24TH DAY OF APRIL 2015/4TH VAISAKHA, 1937

Bail Appl..No. 2104 of 2015 (C)

AGAINST THE ORDER IN CRL.MC 526/2015 of SESSIONS COURT, THALASSERY
DATED 13-03-2015
CRIME NO. 142/2015 OF POOVAR POLICE STATION , THIRUVANANTHAPURAM

PETITIONER/A1.:

AJEESH, AGED 34 YEARS
S/O.GOPINATHAN NAIR, PULIMOODU VEEDU, THIRUPURAM P.O.
NEYYATTINKARA, THIRUVANANTHAPURAM.

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT/STATE:

STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE
POOVAR POLICE STATION
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT.V.H.JASMINE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
24-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B. A. No.2104 of 2015

Dated this the 24th day of April, 2015

ORDER

This petition is filed under Section 438 of Cr. P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent. C.D. produced.

3. The petitioner is the first accused in Crime No.142 of 2015 of Poovar Police Station. The offences alleged are under Sections 341, 323, 324, 326 and 308 read with Section 34 of IPC. Learned counsel for the petitioner submits that the petitioner is innocent of the allegations raised against him. He has no criminal antecedents. The investigation of the case has progressed much. The second accused against whom serious allegations have been made was already released on regular bail. The fourth accused was already granted anticipatory bail by the Sessions Court,

Thiruvananthapuram. No serious allegations have been made against the petitioner. The custodial interrogation of the petitioner is not required. He further submits that the petitioner apprehends arrest by the police at any time.

4. Learned Public Prosecutor has opposed this petition. She submits that the investigation of the case has progressed much. She also submits that no criminal antecedents have been reported against the petitioner. On considering the facts and circumstances, stage of the investigation and the facts that no criminal antecedents have been reported against the petitioner, the fourth accused was already granted anticipatory bail and the second accused was already granted regular bail, this Court is satisfied that the petitioner can be granted anticipatory bail imposing appropriate conditions. Therefore, the petitioner is granted anticipatory bail subject to the following conditions:-

- 1)The petitioner shall surrender before the Investigating Officer on or before 02-05-2015. In the

event of his arrest, he shall be released on bail on his executing a bond for ₹ 25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

- 2)The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.
- 3)The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.
- 4)The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
- 5)The petitioner shall not commit any similar offence while on bail.
- 6)The petitioner shall not leave India without the

previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE