

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 20TH DAY OF MAY 2015/30TH VAISAKHA, 1937

Bail Appl..No. 2443 of 2015

CRIME NO. 372/2015 OF PATTAMBI POLICE STATION , PALAKKAD

PETITIONER/ACCUSED NO.1:

**GANESH, AGED 40 YEARS,
S/O. ACHUTHAN NAIR, MALLIYIL KIZHAKKEKARA VEEDU,
PULLASSERY POST, KOPPAM, PATTAMBI TALUK,
PALAKKAD DISTRICT.**

**BY ADVS.SRI.PRAVEEN K. JOY
SRI.TA.JOY**

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031,
REP. BY S.I. OF POLICE, PATTAMBI POLICE STATION.**

BY PUBLIC PROSECUTOR SMT.REMA.R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20-05-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.2443 of 2015

Dated this the 20th day of May, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.372 of 2015 of Pattambi Police station registered for the offences under Sections 143, 147, 148, 506(ii), 341, 323, 324, 354 and 308 read with Sec.149 of the Indian Penal Code.

3. The allegation is that, he along with the co-accused assaulted the victim with deadly weapons causing fracture of his right tibia.

4. Heard both sides.

5. The First Information Statement reveals that it was not the petitioner who caused fracture of the right tibia of the victim. Though there is a statement that the petitioner hit the victim with an iron pipe, he did not cause any injuries.

6. It is submitted by the learned counsel that the petitioner is a teacher and he has been falsely implicated in this case.

Having regard to the facts mentioned above, I am inclined to grant him anticipatory bail.

1) The petitioner shall be released on bail after

interrogation on his executing a bond for 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.

4) He shall co-operate with the investigation.

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 /

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P.A. To Judge