

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

Bail Appl..No. 2533 of 2015 ()

CRIME NO. 121/2015 OF KAMBALAKKAD POLICE STATION , WAYANAD

PETITIONER(S)/ACCUSED NOS.1 AND 2:

1. RISHAD K., AGED 23 YEARS
S/O.MOIDEEN, KALPPAYIL HOUSE, THENERY
KAKKAVAYAL POST, MUTTIL (S) VILLAGE, WAYANAD DISTRICT.

2. THAJUNNEESA, AGED 26 YEARS
D/O.NAZEER, CHAZHIYAD HOUSE, KAMBALAKKAD POST
KANIYAMBETTA VILLAGE, VYTHIRI TALUK.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT(S)/COMPLAINANT & STATE:

1. THE SUB INSPECTOR OF POLICE,
KAMBALAKKAD POLICE STATION, WAYANAD DISTRICT.

2. STATE OF KERALA,
(RESPONDENTS 1 AND 2 REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM)

BY PUBLIC PROSECUTOR SMT.LALIZA T.V.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
12-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.ABRAHAM MATHEW, J

B.A.No. 2533 of 2015

Dated this the 12th May, 2015

ORDER

The Police registered a case against the petitioners for the offences punishable under Sections 323, 326 and 506(i) IPC. The allegation is that they assaulted the victim with a stick causing fracture on her left hand radius.

2. Heard.

3. The investigation revealed that the first petitioner alone is the accused in the case. It appears that the version given in the first information statement is an exaggerated one, though it is true that the victim sustained fracture on her left hand radius.

4. Having regard to the above facts, I am inclined to grant the prayer.

5. In the result, this application is allowed on the following conditions:

- i) The petitioners shall be released on bail after interrogation on their executing bond for ₹25,000/- each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.
- ii) They shall appear before the Investigating Officer for interrogation if they are so required by the Investigating Officer in writing.
- iii) They shall not destroy or tamper with evidence.
- iv) In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

**K.ABRAHAM MATHEW
JUDGE**

vgs13/5/15