

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**FRIDAY, THE 15TH DAY OF MAY 2015/25TH VAISAKHA, 1937**

**Bail Appl..No. 2586 of 2015**  
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**CRIME NO. 323/2015 OF S.BATTERY POLICE STATION , WAYANAD**  
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**APPLICANT/ACCUSED:-:**  
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**NARAYANAN, AGED 64 YEARS,  
S/O.CHINNU, RAMPALLY KURUMA COLONY, MUTHANGA POST,  
WAYANAD DISTRICT.**

**BY ADVS.SRI.TONY THOMAS (INCHIPARAMBIL)  
SRI.P.THOMAS GEEVERGHESE**

**RESPONDENT(S)/COMPLAINANT:-:**  
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**STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM,  
REPRESENTING THE S.I.OF POLICE,  
SULTHAN BATTERY POLICE STATION, WAYANAD DISTRICT.**

**BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15-05-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**PJ**

**K. ABRAHAM MATHEW, J.**

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**B.A. No. 2586 of 2015**  
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Dated this the 15<sup>th</sup> day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner has allegedly committed the offence under Section 326 of the Indian Penal Code. According to the prosecution, he struck the victim with a stick, causing fracture of a bone.

3. Learned counsel submits that the petitioner is aged 64 years and the allegation is false.

4. Heard.

5. Taking into consideration the fact that the petitioner is aged 64 years and he hit the victim only once, I am inclined to grant his prayer.

In the result, this 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.

**K. ABRAHAM MATHEW  
JUDGE**

DMR/-