

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

Bail Appl..No. 2669 of 2015

CRIME NO. 370/2015 OF ARYANAD POLICE STATION , THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED :

**RAFEEK, AGED 24 YEARS,
S/O.SAKEER HUSSAIN, RESIDING AT JASMIN MANZIL,
PALLIVETTA, ARYANADU, KOTTAKKAKAM MURI,
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SMT.M.SANTHI (K/868/2011)
SRI.G.RANJU MOHAN**

RESPONDENT(S)/STATE :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.2669 of 2015

Dated this the 28th day of July 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.370 of 2014 of Aryanadu Police station registered for the offences under Secs.294(b), 308, 324 and 341 read with Sec.34 of the Indian Penal Code. The prosecution case is that he wrongfully restrained the victim, uttered obscene words and assaulted him with iron rod.

3. Heard both sides.

4. The victim sustained two minor injuries. It appears that custodial interrogation of the petitioner is not necessary for effective investigation. So I am inclined to grant the prayer of the petitioner.

In the result, the 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) The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every alternate Wednesdays for three months or till the final report is filed, whichever is earlier.

3) The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

4) The petitioner shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioner shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

6) The petitioner shall not intimidate or attempt to influence the witnesses.

7) The petitioner shall co-operate with investigation of the case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

If the petitioner surrenders before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge