

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

Bail Appl..No. 2890 of 2015 ()

**CRIME NO. 533/2015 OF VATTIYOORKAVU POLICE STATION,
THIRUVANANTHAPURAM DISTRICT (*CORRECTED)**

***THE CRIME NO. 533/2015 OF VATTIYOORKAVU POLICE STATION OCCURRING IN THE
CAUSE TITLE, SYNOPSIS AND IN THE BAIL APPLICATION IS CORRECTED AS
“CRIME NO. 533/2015 OF VILAPPILSALA POLICE STATION” AS PER ORDER
DATED 25/6/2015 IN CRL.M.A. NO. 5978/2015 IN BA 2890/2015.**

PETITIONER/2ND ACCUSED :

**SIVAPRASAD, AGED 27 YEARS
S/O. SUNDARESAN MOZHIYIL
VALIYAKONAM MOZHIYIL PAYADU MOONGODU
THIRUVANANTHAPURAM.**

BY ADV. SRI.M.R.SARIN

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE
VATTIYOORKAVU POLICE STATION
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

R1 & R2 BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K.ABRAHAM MATHEW, J

B.A.No.2890 OF 2015

Dated this the 29th day of June, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 308, 323, 324, 341 and 34 of Indian Penal Code.

3. The prosecution case is that the co-accused assaulted the victim with a metal bucket causing him injuries. The allegation against the Petitioner is that he wrongfully restrained the victim.

4. Heard.

5. It appears that the assault was not a pre-mediated one. The Petitioner did not assault the victim with any weapon. The co-accused has already been arrested. So I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

1. The petitioner will be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent

sureties for the like sum each 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 get himself involved in any other criminal case while they are on bail.

4. He shall not intimidate or attempt to influence the witnesses.

5. 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 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

R.AV

//True Copy//

PA to Judge