

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYAISHTA, 1937

Bail Appl..No. 2999 of 2015 ()

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CRIME NO. 738/2015 OF FORT POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**

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PETITIONER/A4:

**MURUKAN, AGED 38 YEARS,
S/O.BHASKARAN, V.P.65/1625,
NETTAYAM P.O, THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED.

RESPONDENT/STATE:

**STATE OF KERALA, REPRESENTED THROUGH
THE SUB-INSPECTOR OF POLICE,
FORT POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

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B.A.No.2999 of 2015

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Dated this the 11th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioner apprehends that he will be arrested by the police in Crime No. 738 of 2015 of Fort Police Station registered for the offences under sections 143, 147, 148, 294(b), 452, 341, 323, 324, 354, 427 read with section 149 of IPC and section 23 of the Juvenile Justice (Care and Protection of Children) Act, 2000. The prosecution case is that the accused in the case assaulted the first informant with sticks.

3. Heard.

4. The prosecution has no case that the petitioner made any assault. His presence at the place of occurrence alone appears to be the ground for arraying him as an accused. This does not mean that his involvement in the case is ruled out. If the investigation reveals that he is also involved in it, the Investigating Officer may proceed against him. But, I am inclined to grant him anticipatory bail.

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.

4) He shall not get himself involved in any other criminal case while he is on bail.

5) He shall not intimidate or attempt to influence the witnesses.

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

DST

//True copy//

P.A. To Judge