

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

Bail Appl..No.3310 of 2015

CRIME NO.168/2015 OF SHOLAYAR POLICE STATION,PALAKKAD.

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PETITIONER/FIRST ACCUSED:

**CHANDRAN,S/O.VELAYUDHAN,AGED 55 YEARS
CHANDRA NILAYAM,KOZHIKODAM,SHOLAYAR,
MANNARKKAD TALUK,PALAKKAD DISTRICT.**

**BY ADVS.SRI.BINOY VASUDEVAN
SMT.P.G.BABITHA**

RESPONDENT'S/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM-682031.**
- 2. THE STATION HOUSE OFFICER,
SHOLAYAR POLICE STATION,PALAKKAD DISTRICT-678102.**

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN,

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K. ABRAHAM MATHEW, J.

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B.A.No. 3310 of 2015

Dated this the 15th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 447, 506(1), 294(B), 324 of IPC and read with Section 3(1)(v) & 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The prosecution case is that he trespassed into the property of the victim who belongs to a scheduled caste, uttered obscene words, assaulted and threatened him and called him his caste name.

3. Heard.

4. Though the allegations are not very serious since Section 18 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 prevents this Court from passing an order under Section 438 Cr.P.C. this application is only to be dismissed. But, the learned Magistrate is free to grant bail to him, if he is arrested and produced before him and an application is filed for bail.

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In the result, this application is dismissed with the above observation.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge