

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

Bail Appl..No. 3327 of 2015 ()

**AGAINST THE ORDER IN CRMC 1162/2015 of I ADL.D.C., TRIVANDRUM DATED
28-05-2015
CRIME NO. 235/2015 OF MARANALLOR POLICE STATION , THIRUVANANDAPURAM**

PETITIONER(S)/PETITIONER/ACCUSED:

**RAJESH R AGED 29 YEARS
S/O.RAJAN, KEELIYODE MEKKUMKARA PUTHEN VEEDU
KEELIYODE, PERUMPAZHUTHOOR P O
THIRUVANANTHAPURAM DISTRICT, PIN 695126**

**BY ADVS.SRI.K.K.BALAKRISHNAN (KODIYURA)
SRI.K.R.AVINASH (KUNNATH)
SMT.M.SULEKHA
SRI.DAVID JOHN**

RESPONDENT(S)/RESPONDENTS/COMPLAINANT & STATE:

**1. THE STATION HOUSE OFFICER
MARANALLOOR POLICE STATION, MARANALLOOR, NEYYATTINKARA
THIRUVANANTHAPURAM DISTRICT PIN 695512**

**2. THE STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM 682014**

R BY PUBLIC PROSECUTOR SMT.SEENA RAMAKRISHNAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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BABU MATHEW P. JOSEPH, J.

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B.A. No. 3327 of 2015

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Dated this the 9th day of September, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondents. C.D. produced.

3. The petitioner is the accused in Crime No.235 of 2015 of Maranalloor Police Station. The offences alleged are under Sections 341, 324 and 326 of the Indian Penal Code. Learned counsel for the petitioner submits that the petitioner is a physically handicapped person. The petitioner is innocent of the allegations raised against him. He has no criminal antecedents. The investigation of the case is almost over. The custodial interrogation of the petitioner is not required. He further submits that the petitioner apprehends arrest by the police at any time.

4. Learned Public Prosecutor has opposed this petition. She admits the fact that the investigation of the case has progressed much. She further submits that no criminal antecedents have been reported against the petitioner. On considering the facts and circumstances, stage of the investigation and the fact that the petitioner is a physically handicapped person, this Court is of the view that the petitioner can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioner is granted anticipatory bail subject to the following conditions:

1) The petitioner shall surrender before the Investigating Officer on or before 16.9.2015.

In the event of his arrest, he shall be released on bail on his executing a bond for Rs. 25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

2) The petitioner shall not directly or indirectly make any inducement, threat or promise to any

person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

3) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

4) The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

5) The petitioner shall not commit any similar offence while on bail.

6) The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This application is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

//TRUE COPY//

PA TO JUDGE

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