

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

Bail Appl..No. 3396 of 2015

CRIME NO. 701/2015 OF KOLLENGODE POLICE STATION , PALAKKAD

PETITIONER(S)/ACCUSED:

**MUJEEB, AGED 28 YEARS
S/O.ISMAYIL, NEDUMANI, 11,
ACHAMKODE, KOLLENGODE, PALAKKAD.**

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
REPRESENTING SUB INSPECTOR OF POLICE,
KOLLENGODE POLICE STATION.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.3396 of 2015

Dated this the 23rd day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is accused in Crime No.701 of 2015 of Kollengode Police station registered for the offences under Secs.323, 354 and 448 read with Sec.34 of Indian Penal Code. The prosecution case is that the petitioner trespassed into the house of the first informant, assaulted her husband and outraged her modesty.

3. Heard both sides.

4. Learned counsel submits that the first informant and her husband had taken from his father Rs.2,500/- undertaking to work on his farm, but he did not turn up. So the petitioner went there to enquire about it, which is the reason for filing this false case.

5. Neither the first informant nor her husband sustained any injuries. Custodial interrogation of he petitioner is not necessary for effective investigation. So, I am inclined to grant him anticipatory bail.

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) 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 intimidate or attempt to influence the witnesses.

5) He shall not get himself involved in any other criminal 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.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /
P.A. To Judge