

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

Bail Appl..No. 3962 of 2015

CRIME NO. 713/2015 OF EZHUKONE POLICE STATION , KOLLAM

PETITIONER(S)/ACCUSED:

1. MANEKSHA, AGED 42 YEARS,
S/O.MADHAVAN, POCHAMKONATHU VEEDU,
POCHAMKONATHU MURI,
EZHUKONE VILLAGE, KOTTARAKKARA, KOLLAM.
2. JACOB, S/O.DANIEL, AGED 38 YEARS,
MELETHIL PUTHEN VEEDU,
MULAVANMURI, MULAVANA VILLAGE, KOLLAM.

BY ADV. SRI.M.K.CHANDRA MOHANDAS

RESPONDENT(S)/COMPLAINANT & STATE:

1. SUB INSPECTOR OF POLICE,
EZHUKONE POLICE STATION, KOLLAM-691573.
2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 3962 of 2015

Dated this the 23rd day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners apprehend that they will be arrested by the Police in Crime No. 173 of 2015 of Ezhukone Police Station, registered for the offences under Sections 341, 294(b), 323, 324, 354, 427 and 34 of the Indian Penal Code, 1860.

3. Learned Public Prosecutor submits that the second petitioner is not arrayed as an accused in the case as of now.

4. The case against the accused is that they uttered obscene words, wrongfully restrained and assaulted the victim and outraged the modesty of his wife and committed mischief and assaulted a child.

5. Heard.

6. It appears that the incident arose out of collision of two vehicles. The co-accused have already been granted bail by Annexure-1 order. There is no reason why the first petitioner also

shall not be granted anticipatory bail.

In the result, this application is allowed in part.

- 1)The first petitioner 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 if he is arrested by the Police in connection with this case.*
- 2)He shall surrender his passport before the lower court concerned or if he does not have one, he shall file an affidavit to that effect within five days of his release.*
- 3)He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.*
- 4)He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.*
- 5)He shall not intimidate or attempt to influence the witnesses.*
- 6)He shall not destroy or tamper with evidence.*
- 7)He shall not get himself involved in any other criminal case while he is on bail.*

If the petitioner surrenders before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance

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with the law. This application is dismissed so far as the second petitioner is concerned.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

//True copy//

P.A. To Judge