

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

Bail Appl.No. 4177 of 2015

CRIME NO. 427/2015 OF POTHENCODE POLICE STATION, THIRUVANANTHAPURAM
.....

PETITIONER(S)/ACCUSED:

**SANAL, AGED 25 YEARS,
S/O.SANTHOSH, ALUVILA VEEDU, MANJAMALA,
POTHENCODE, KEEZTHONNAKKAL VILLAGE,
THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT(S)/STATE:

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

BY PUBLIC PROSECUTOR SMT.SAREENA GEORGE

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.4177 of 2015

Dated this the 20th day of July 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.427 of 2015 of Pothencode Police station registered for the offences under Secs.323, 324, 341, 354 and 427 of the Indian Penal Code. The prosecution case is that the petitioner wrongfully restrained, assaulted the victim, outraged her modesty and committed mischief.

3. Heard both sides.

4. It appears that this is essentially an assault case. Having regard to this fact, I am inclined to grant the prayer of the petitioner.

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. The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every Thursday for three months or till the final report is filed, whichever is earlier.

3. The petitioner shall deposit Rs.7,000/- (Rupees seven thousand only) in the court of the learned Magistrate within two weeks failing which, the investigating officer may approach the learned Magistrate for cancellation of the bail.

4. The petitioner shall not enter the house in which the first informant is residing.

5. The petitioner shall not contact or communicate with the victim, except with the permission of the trial court concerned.

6. The petitioner shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

7. The petitioner shall not intimidate or attempt to influence the witnesses.

8. The petitioner shall co-operate with investigation of the 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.

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

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True copy /

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P.A. To Judge