

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937**

**Bail Appl..No. 4270 of 2015**  
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**CRIME NO. 744/2015 OF THRIKKUNNAPPUZHA POLICE STATION , ALAPPUZHA**  
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**PETITIONER(S)/ACCUSED 1 TO 3:-:**  
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1. **PAMARAJAN @ SOMARAJAN (BHAMARAJAN),  
VETTATHURUTHIL VEEDU, PUTHUKANDAM MURI,  
KARTHIKAPPALLY VILLAGE, KARTHIKAPPALLY TALUK,  
ALAPPUZHA.**
2. **SARATH,  
S/O.PAMARAJAN @ SOMARAJAN, -DO- -DO-**
3. **PAVITH,  
S/O.PAMARAJAN @ SOMARAJAN, -DO- -DO-**

**BY ADV. SRI.K.SUBASH CHANDRA BOSE**

**RESPONDENT(S)/COMPLAINANT:-:**  
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**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 22-07-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**PJ**

**K. ABRAHAM MATHEW, J.**

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**B.A. No.4270 of 2015**  
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**Dated this the 22<sup>nd</sup> day of July 2015**

**ORDER**

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.744 of 2015 of Thrikunnapuzha Police station registered for the offences under Secs.294(B),324 and 354 read with Sec.34 of the Indian Penal Code. The prosecution case is that they uttered obscene words, assaulted the victim and outraged her modesty.

3. Heard both sides.

4. The petitioners are father and sons. There is a civil dispute between them and the victim's family. It appears that this is essentially an assault case. Moreover, the Police have registered a case against the victim or other persons also.

In the result, the bail application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees twenty five

thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) They shall appear before the Investigating Officer for interrogation if they are so required by him in writing.

3) They shall surrender their passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

4) They shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioners shall not enter the house in which the first informant is residing.

6) The petitioners shall not contact or communicate with the first informant, except with the permission of the trial court concerned.

7) They shall not destroy or tamper with evidence nor shall they get themselves

involved in any other criminal case.

8) They shall not intimidate or attempt to influence the witnesses.

9) They 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 petitioners surrender 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