

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937

Bail Appl..No. 4334 of 2015)

CRIME NO. 739/2015 OF THENMALA POLICE STATION, KOLLAM DISTRICT.

PETITIONER/ACCUSED:

**K.L.JOSEPH, AGED 55,
KUNNUTHARA HOUSE, OTTACKAL P.O,
THENMALA, PUNALUR, KOLLAM DISTRICT.**

BY ADV. SRI.B.KRISHNA MANI

RESPONDENT(S)/COMPLAINANT AND STATE:

- 1. THE ADDITIONAL SUB INSPECTOR OF POLICE,
THENMALA POLICE STATION, THENMALA P.O,
KOLLAM DISTRICT-691 308.**
- 2. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.4334 of 2015

Dated this the 24th day of July 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.739 of 2015 of Thenmala Police station registered for the offences under Secs.294(b), 324, 326, 447 and 506(i) and (ii) of the Indian Penal Code. The prosecution case is that he trespassed into the property of the victim, uttered obscene words, threatened and assaulted him with a stick.

3. Heard both sides.

4. The weapon has already been recovered. The petitioner and the victim are brothers. It appears that the incident arose out of a family dispute.

5. Having regard to these facts, 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 for interrogation if he is so required by him in writing.

3) The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

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

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

7) 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