

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

Bail Appl..No. 4648 of 2015 ()

**CRIME NO. 884/2015 OF SOORANADU POLICE STATION,
KOLLAM DISTRICT**

PETITIONER/ACCUSED :

**ANEESH, AGED 26 YEARS,
S/O.PARAMESWARAN, ATHUL BHAVANAM,
ERAVICHIRA WEST, SOORANAD SOUTH VILLAGE,
SOORANAD, KOLLAM**

BY ADV. SRI.B.MOHANLAL

RESPONDENT/COMPLAINANT :

**STATE REPRESENTED BY THE STATION HOUSE OFFICER,
SOORANAD POLICE STATION, KOLLAM DISTRICT
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**

BY PUBLIC PROSECUTOR SRI. V. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.4648 of 2015

Dated this the 17th day of August 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.884 of 2015 of Sooranad Police station registered for the offences under Secs.294(b), 323, 324, 341 and 452 of the Indian Penal Code. The prosecution case is that he trespassed into the first informant's house, wrongfully restrained him, assaulted his parents with piece of bamboo and damaged a television set.

3. Heard both sides.

4. Learned counsel submits that the allegations are false and the Police have registered a case against the victim and others for assaulting the petitioner's mother causing her serious injuries including fracture of a bone.

5. The alleged incident happened on 12.07.2015. But the First Information Statement was

given only on 14.07.2015. This itself is a suspicious circumstance. It appears that detention of the petitioner is not necessary for effective investigation. So 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 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 alternate Wednesdays for two months or till the final report is filed, whichever is earlier..
- 3) The petitioner shall surrender his passport before the lower court concerned or if he do not have one, file an affidavit to that effect.
- 4) He shall not leave India without the

previous permission of the court of enquiry or trial court as the case may be.

5) He shall not intimidate or attempt to influence the witnesses.

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

7) He 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 /

NS

P.A. To Judge