

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

Bail Appl..No. 4650 of 2015

CRIME NO. 120/2015 OF KALIYAR POLICE STATION , IDUKKI DISTRICT

PETITIONER(S)/ACCUSED NO 1 TO 3 :

- 1. SHAJI, AGED 42 YEARS,
S/O.VALLOKANNAN, KAVUMPARAMBIL HOUSE, WEST KODIKULAM,
KODIKULAM VILLAGE, THODUPUZHA TALUK, IDUKKI DISTRICT.**
- 2. SAIDU MUHAMMED, AGED 72 YEARS,
S/O.MEERAKUTTY, PALAKKATTU HOUSE, VANNAPPURAM VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT.**
- 3. SIDDIQ, AGED 42 YEARS,
S/O.SAIDU MUHAMMED, PALAKKATTU HOUSE,
VANNAPPURAM VILLAGE, THODUPUZHA TALUK, IDUKKI DISTRICT.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/STATE :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031,
(CRIME NO.120/2015 OF KALIYAR POLICE STATION,
IDUKKI DISTRICT).**
- 2. STATION HOUSE OFFICER,
KALIYAR POLICE STATION, IDUKKI DISTRICT- 685 582,
(CRIME NO.120/2015 OF KALIYAR POLICE STATION,
IDUKKI DISTRICT).**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

K. ABRAHAM MATHEW, J.

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B.A.No. 4650 of 2015

Dated this the 19th day of August, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused 1 to 3 in Crime No. 120 of 2015 of Kaliyar Police Station. They are said to have committed the offences under Sections 143, 147, 148, 354, 506(ii), 447, 427 read with Section 149 of the Indian Penal Code.

3. The prosecution case is that in an attempt to cut open a road through the property of the victim, they threatened and wrongfully restrained the victim and outraged her modesty and committed mischief in the property.

4. Heard.

5. It is doubtful whether Section 354 IPC is attracted. The other offences are of minor in nature. So, I am inclined to grant anticipatory bail to the petitioners.

In the result, this application is allowed.

1)The petitioners shall be released on bail 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 surrender their passports before the lower court concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.*
- 3) They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 4) They shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every Monday for three months or till the final report is filed, whichever is earlier.*
- 5) They shall not intimidate or attempt to influence the witnesses.*
- 6) They shall not destroy or tamper with evidence.*
- 7) They shall not enter the property of the victim till the conclusion of the trial.*
- 8) They shall not get themselves involved in any other criminal case while they are on bail.*
- 9) They shall not harass the de facto complainant or her relatives.*

If the petitioners surrender 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 with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge