

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 31ST DAY OF AUGUST 2015/9TH BHADRA, 1937

Bail Appl..No. 4912 of 2015

CRIME NO. 865/2015 OF MATTANNUR POLICE STATION , KANNUR

PETITIONER(S)/ACCUSED:

**BABU SEBASTIAN, AGED 51 YEARS,
S/O.SEBASTIAN, RESIDING AT MARUTHULLIKANDIPARAMBIL
KOLARI PO, MATTANNUR, THALASSERY TALUK,
KANNUR DISTRICT.**

BY ADV. SRI.CIBI THOMAS

RESPONDENT(S)/COMPLAINANT/STATE:

- 1. SUB INSPECTOR OF POLICE, MATTANNUR POLICE STATION,
KANNUR DISTRICT-670 101.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A.No.4912 of 2015

Dated this the 31st day of August, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the sole accused in Crime No.865 of 2015 of Mattannur Police Station registered for the offences punishable under Sections 324 and 308 of the Indian Penal Code.

3. The prosecution case is that on 01.08.2015 at about 11.30 a.m., the petitioner hit the *de facto* complainant with a glass tumbler from a toddy shop causing injury on his head.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. It appears that the accused and the *de facto* complainant are distantly related and there was some monitory dispute between the parties.

6. Considering the nature of the allegations and the weapon used, I find that the petitioner can be released

in the event of arrest in the above crime on his satisfying the following conditions:

- (a) Petitioner shall execute a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum to the satisfaction of the Investigating Officer.
- (b) The petitioner shall appear before the Investigating Officer as and when directed for the purpose of interrogation.
- (c) The petitioner shall not intimidate or influence the witnesses or meddle with the investigation in any manner.

Sd/-

A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge