

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

Bail Appl..No. 4943 of 2015 ()

CRIME NO. 603/2015 OF VALAPPAD POLICE STATION, THRISSUR DISTRICT

PETITIONER(S) :

- 1. SUDHEER BABU
AGED 42 YEARS, S/O. GOPALAN,
MATCHINGAL HOUSE, P.O.EDATHIRITHI
THRISSUR DISTRICT.**
- 2. SWAPNA
AGED 40 YEARS, W/O. SUDHEER BABU,
MATCHINGAL HOUSE, P.O.EDATHIRITHI
THRISSUR DISTRICT.**
- 3. KRISHNAPRIYA
AGED 20 YEARS, D/O. SUDHEER BABU,
MATCHINGAL HOUSE, P.O.EDATHIRITHI
THRISSUR DISTRICT.**

BY ADV. SRI.V.M.KRISHNAKUMAR

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE
VALAPAD POLICE STATION, THRISSUR DISTRICT - 680 567.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

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B.A.No. 4943 of 2015

Dated this the 18th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No. 603 of 2015 of Valappad Police Station. They are accused of having committed the offences under Sections 323, 324 and 326 of the Indian Penal Code.

3. The prosecution case is that they assaulted the victim with a dangerous weapon, causing him serious injuries.

4. Heard.

5. First petitioner is the husband of the second petitioner, the third petitioner is their daughter. The incident happened on 22.06.2015. It is seen from Annexure-2 that the first petitioner also sustained injuries on his head. The parties are neighbours and close relations. The marriage of the third petitioner is to be solemnized on 23.08.2015. Having regard to these facts, I am inclined to grant the prayer for anticipatory bail.

In the result, this application is allowed.

- 1) *The petitioners shall be released on bail on their executing a bond for Rs.50,000/- (Rupees fifty 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) *The 1st and 2nd petitioners will appear before the Investigating Officer between 10 a.m. and 11 a.m. every Wednesday, except the last week of August for one month 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 get themselves involved in any other criminal case while they are on bail.*

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.

It is made clear that to effect the recovery under Section 27 of the Evidence Act, the Investigating Officer may take into custody any of the petitioners.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

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P.A. To Judge