

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

Bail Appl..No. 5085 of 2015 ()

**CRIME NO. 993/2015 OF MECICAL COLLEGE POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/ACCUSED NO.2 :

**GADHAFI A.,
AGED 19 YEARS
S/O. ABDUL SAMAD, S.G.S. PLAVILAYIL, THEMBAMOODU
PULLANPARA P.O., THIRUVANANTHAPURAM.**

BY ADV. SMT. V.P. SATHI

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.No.5085 of 2015

Dated this the 7th day of September, 2015

ORDER

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

2. Petitioner is the second accused in Crime No.993 of 2015 of Medical College Police Station, Thiruvananthapuram registered for the offences punishable under Sections 143, 147, 148, 149, 294(b), 324, 326 and 323 of the Indian Penal Code.

3. There are 14 accused persons in the case. Petitioner is the second accused. He is a student of John Cox College of Engineering, Thiruvananthapuram.

4. Prosecution case is that on 02.07.2015 at about 4.45 p.m., the *de facto* complainant, who is also a student in the College, was manhandled by the brother of the petitioner, who is the first accused. He was arrested and later released on bail by this Court. The allegation of overtact is made only against the first accused. Petitioner is said to be an abettor to the crime.

5. Considering the nature of allegations, I find that

custodial interrogation may not be necessary in this case. Hence, I am inclined to grant anticipatory bail to the petitioners with the following conditions:

(a) Petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. Thereafter, he shall be released on bail on executing 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 required for the purpose of interrogation.

(c) The petitioner shall co-operate with the investigation of the case.

(d) The petitioner shall not intimidate or influence the witnesses or meddle with the investigation in any manner.

(e) Petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge