IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

Bail Appl..No. 5160 of 2015 ()

CRIME NO. 618/2015 OF CHEVAYUR POLICE STATION, KOZHIKODE DISTRICT

PETITIONER/ACCUSED :

WILFRED RAJ
AGED 53 YEARS, S/O. B.C. RAJ,
KANIYAMKUNNU, P.O. MEDICAL COLLEGE
KOZHIKODE – 673 008.

BY ADVS.SRI.R.SUDHISH
SMT.M.MANJU

RESPONDENT/COMPLAINANT :

STATE OF KERALA
REPSENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

A. HARIPRASAD, J.

==========

B.A.No.5160 of 2015

- -

Dated this the 3rd day of September, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.618 of 2015 of Chevayur Police Station. He is involved in an offence punishable under Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989(hereinafter referred as '*the Act*')**.**

3. The prosecution case is that on 18.05.2015, at about 6 p.m. the petitioner, who is not a member of the scheduled caste, insulted and humiliated the *de facto* complainant, a lady who hails from a community included in the scheduled caste by calling her caste name.

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

5. Learned counsel for the petitioner submitted that the allegations in the First Information Statement would not show that the petitioner has committed an offence under Section 3(1)(x) of the Act, as there is no specific ingredient mentioned to attract the

Section.

Considering the nature of allegations and the offence alleged, following directions are issued in this matter:

(a)The petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation and thereafter, he shall be released on bail on executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand Only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer. In that event, he shall be released on bail in Crime No.618 of 2015 of Chevayur Police Station.

(b)The petitioner shall appear before the Investigating Officer as and when required for the purpose of interrogation.

(c)He shall not intimidate or influence the witnesses.

(d)He shall not get himself involved in any other criminal case while he is on bail.

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

DST

//True copy//

P.A. To Judge