

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. 5168 of 2015

CRIME NO. 942/2015 OF KILIMANOOR POLICE STATION, THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED:

**SANGEETH, AGED 23 YEARS,
S/O. SADASIVAN, KUNNUMPURATHU VEEDU, PANAPPAMKUNNU,
MALAKKAL P.O, KILIMANOOR, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.K.SIJU
SMT.S.SEETHA**

RESPONDENT(S):

**STATE OF KERALA,
THROUGH THE S.I OF POLICE, KILIMANOOR POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

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

PJ

A. HARIPRASAD, J.

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B.A.No.5168 of 2015

Dated this the 7th day of September, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the sole accused in Crime No. 942 of 2015 of Kilimanoor Police Station, registered for offences punishable under Sections 294(b), 323, 324 and 354 of the Indian Penal Code.

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

4. It is alleged that on 07.07.2015, at about 9 p.m., the petitioner assaulted the *de facto* complainant from a hotel run by the *de facto* complainant with an iron rod and pushed him down. According to the learned counsel for the petitioner, the petitioner was brutally attacked by the *de facto* complainant and his men. The photographs produced would show that the petitioner had underwent treatment for sustaining a long injury on his belly. Medical records are also produced. It is an admitted case that there are two cases counter to one another.

Considering the nature of allegations, I find no reason to

insist on a custodial interrogation of the petitioner. Therefore, following order is passed in this case.

- (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.942 of 2015 of Kilimanoor 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

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P.A. To Judge