

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

Bail Appl..No. 5206 of 2015 ()

CRIME NO. 1315/2015 OF KUNNAMKULAM POLICE STATION, TRISSUR DISTRICT

PETITIONER/1ST ACCUSED :

**PRADEEP
AGED 39 YEARS, S/O. RAMAN,
KOONATH HOUSE, PENGAMUKKU POST
KATAKAMBAL VILLAGE, THALAPILLY TALUK
THRISSUR DISTRICT.**

**BY ADVS.SRI.LINDONS C. DAVIS
SRI.SOJAN JOB**

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.5206 of 2015

Dated this the 4th day of September, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.1315 of 2015 of Kunnamkulam Police Station registered under Sections 143, 147, 452, 341, 353 and 506(i) read with Section 149 of the Indian Penal Code. Prosecution case, in brief, is that on 08.07.2015 at about 2 p.m., the petitioner along with other accused persons trespassed into a place where gramasabha meeting was going on and obstructed a public servant from discharging his official duty.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor. Perused the materials produced along with the application.

4. Considering the nature of allegations, I am of the view that custodial interrogation is not necessary in this matter. In the result, the petition is allowed with the following directions:

i. Petitioner shall appear before the investigating officer within a period of two weeks and submit himself for interrogation. Thereafter he shall execute a bond for ₹25,000/- (Rupees twentyfive

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.1315 of 2015 of Kunnakulam Police Station.

ii. Petitioner shall appear before the Investigating Officer as and when directed for the purpose of investigation in the matter.

iii. He shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the learned Magistrate having jurisdiction is empowered to cancel the bail in accordance with law without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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