

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. 5295 of 2015 ()

CRIME NO. 324/2015 OF ANCHALUMMOODU POLICE STATION, KOLLAM

PETITIONER/IST ACCUSED :

**KISHORE DAS,
S/O. DAS, AGED 40 YEARS
SANTHA VILASOM, MURUNTHAL
ANCHALUMMOOD, PERINAD, KOLLAM.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT/COMPLAINANT :

**STATE
REPRESENTED BY THE STATION HOUSE OFFICER
ANCHALUMMOODU POLICE STATION
KOLLAM DISTRICT
THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**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.5295 of 2015

Dated this the 7th day of September, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.324 of 2015 of Anchalumoodu Police Station registered for offences punishable under Sections 323, 324, 326 and 308 read with Section 34 of the Indian Penal Code.

3. Prosecution case, in short, is that on 01.03.2015 at about 16.30 hours, the petitioner along with other accused persons with the common intention, assaulted the defacto complainant. Petitioner slapped the defacto complainant with bare hand. Other accused persons used weapons for causing grievous hurt to the defacto complainant.

4. Heard both sides.

After hearing the learned counsel for the petitioner and the learned Public Prosecutor, it is made out that the petitioner did not use any weapon to cause injury on the defacto complainant. Therefore, the following order:

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.324 of 2015 of Anchalummoodu Police Station.

ii. The sureties shall produce documents to establish their identity and solvency.

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

iv. 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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