

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

Bail Appl..No. 5369 of 2015

CRIME NO. 2020/2015 OF KARUNAAGAPALLY POLICE STATION , KOLLAM

PETITIONER(S)/ACCUSED:

**RAHUL, S/O.RAJAN PILLAI, AGED 23 YEARS,
NEELAMPETH, THODIYOOR, P.V.NORTH,
THAZHAVA P.O., KARUNAGAPPALLY.**

BY ADV. SRI.R.T.PRADEEP

RESPONDENT(S):

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

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A.No.5369 of 2015

Dated this the 10th day of September, 2015

ORDER

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

2. Petitioner is the accused in Crime No.2020 of 2015 of Karunagappally Police Station registered for the offences punishable under Sections 447, 323 and 354 of the Indian Penal Code.

3. Prosecution case is that on 12.07.2015 at 1.30 p.m., a dog, reared by the *de facto* complainant chased a lamb belonging to the accused and on that score there was an altercation. Petitioner allegedly committed the said offences against the *de facto* complainant and his wife.

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

5. Learned counsel for the petitioner submitted that the petitioner/accused is the son of the *de facto* complainant's husband's brother. Due to personal vengeance a false case has been filed.

6. Considering the nature of allegations, I am inclined to grant anticipatory bail to the petitioner 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 his 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 attempt to influence the witnesses.
- (e) The petitioner shall not in any manner

interfere or meddle with the investigation.

- (f) 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