

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937**

**Bail Appl..No. 5547 of 2015 ()**

**CRIME NO. 345/2015 OF GURUVAYOOR TEMPLE POLICE STATION.**

**.....**

**PETITIONER/2ND ACCUSED:**

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**AJITH. C.M., AGED 18 YEARS,  
S/O.C. MANOHARAN, CHALAKKAL HOUSE,  
RESIDING AT B11-DEVASWOM QUARTERS,  
GURUVAYUR, THRISSUR DISTRICT.**

**BY ADV. SRI.RAJIT.**

**RESPONDENT(S):**

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

**BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 03-11-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**rs.**

**A.HARIPRASAD, J.**

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**B.A No.5547 of 2015**  
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**Dated this the 3<sup>rd</sup> day of November, 2015.**

**ORDER**

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the second accused in Crime No.345 of 2015 of Guruvayur Temple Police Station registered for offences punishable under Sections 341, 323, 324, 326 and 506(i) r/w Section 34 I.P.C.

3. Prosecution case, in short, is that on 03-05-2015 at about 10.30 p.m., the first accused wrongfully restrained the defacto complainant and the petitioner attacked the defacto complainant with a granite stone causing fracture on the nose.

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

5. Learned counsel for the petitioner submitted that the first accused in the crime has been released on bail as per order in bail application B.A No.3383 of 2015 dated 24-06-2015. Learned Public Prosecutor submitted that allegation against the petitioner is that he caused the fracture by hitting with a granite stone. Considering the

nature of allegations, I find that bail can be granted to the petitioner with following directions :

1. Petitioner shall surrender before the investigating officer within a period of one week from today and submit himself for interrogation. In that event, 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.
2. The sureties shall produce documents to establish their identity and solvency. The Investigating Officer need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. Petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

**Sd/-**  
**A.HARIPRASAD,**  
**JUDGE.**

//True copy//

amk

P.A to Judge

