

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Bail Appl..No. 5624 of 2015 ()

CRIME NO. 1484/2015 OF PAVARATTY POLICE STATION, THRISSUR DISTRICT

PETITIONERS/ACCUSED 1 & 2 :

**1. SHAJI, AGED 36 YEARS
S/O.VASU, THOOMATT HOUSE, P.O. PUVATHUR
CHAVAKKAD TALUK, THRISSUR DISTRICT.**

**2. ABILASH
AGED 29 YEARS, S/O.VASU
P.O.KAKKASSERY, CHAVAKKAD TALUK
THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT

RESPONDENT :

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

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A No.5624 of 2015

Dated this the 30th day of September, 2015.

ORDER

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

2. Petitioners are accused in Crime No.1484 of 2015 of Pavaratty Police Station registered for offences punishable under Sections 341, 323, 324, 354 and 294(b) r/w Section 34 I.P.C.

3. Prosecution case, in short, is that on 02-08-2015 at about 4.30 p.m., the petitioners restrained the defacto complainant, a lady and attacked her with hand. First accused slapped on her face and the second accused caught hold of lock of hair and beat her.

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

5. The only non bailable offences is Section 354 I.P.C. Learned counsel for the petitioners submitted that totality of the allegations do not reveal the ingredients of the offence to attract

an offences under Section 354 I.P.C Considering the facts and circumstances of the case, following directions are made :

1. Petitioners shall surrender before the investigating officer within a period of two weeks from today and submit themselves for interrogation. In that event, they shall be released on bail on executing a bond for Rs.25,000/- each (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.
3. Petitioners shall appear before the Investigating Officer as and when directed in writing and co-operate with the investigation in the matter.
4. Petitioners shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioners, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.
//True copy//

amk

P.A to Judge