

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

Bail Appl..No. 5774 of 2015 ()

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CRIME NO. 916/2015 OF MATTANNUR POLICE STATION, KANNUR DISTRICT.**

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PETITIONER/ACCUSED NO.1:

**P.V. KUNHIRAMAN, S/O.KUNHAPPA,
AGED 57 YEARS, LIJIN NIVAS,
VADUVANKULAM, KANNUR DISTRICT.**

**BY ADVS.SRI.C.KHALID,
SRI.PHIJO PRADEESH PHILIP.**

RESPONDENTS/STATE:

**STATION HOUSE OFFICER,
MATTANNUR POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, COCHIN -682 031.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

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

rs.

A. HARIPRASAD, J.

Bail Appl. No.5774 of 2015

Dated this the 9th day of October 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.916 of 2015 of Mattannur Police station registered for the offences punishable under Secs.341, 323, 324 and 354B read with Sec.34 of the Indian Penal Code. The prosecution case is that on 14.08.2015 at about 14.45 hours, there was a scuffle between the petitioner and other accused with the defacto complainant and his wife. It is alleged that the 1st accused caught hold of the dress worn by the daughter in law of the defacto complainant and tore her maxi.

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

4. Learned counsel for the petitioner submitted that there is a counter case to the incident.

5. Per contra, learned Public Prosecutor submitted that the counter case is reported to be a false

one.

Perused the Case Diary. Considering the nature of allegations, following directions are issued.

“ The petitioner shall surrender before the investigating officer within a period of one week and submit himself for interrogation. Thereafter, the investigating officer shall produce the petitioner before the learned Magistrate having jurisdiction on the date of surrender itself. The petitioner is free to move for bail before the learned Magistrate. In that event, the learned Magistrate shall consider the bail application on merits as expeditiously as possible, if possible on the date of surrender itself.”

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/09/10/2015

P.A. To Judge