

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

Bail Appl..No. 5776 of 2015

**CRIME NO. 1168/2015 OF THAMPANOOR POLICE STATION ,
THIRUVANANTHAPURAM**

PETITIONER(S)/ACCUSED :

**VISHNU, AGED 21 YEARS,
S/O.SURESH, RESIDING AT TC - NO: 50/149, KAMALAVILASOM,
ILAMTHENGU, KALADY, KARAMANA P.O.,
THIRUVANANTHAPURAM.**

BY ADV. SRI.MANU V.

RESPONDENT(S)/COMPLAINANT STATE AND INVESTIGATING OFFICER :

- 1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR AT THE HIGH
COURT OF KERALA AT ERNAKULAM- 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
THAMBANOOR POLICE STATION, THAMPANOOR,
THIRUVANANTHAPURAM- 695 001.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A No.5776 of 2015

Dated this the 29th day of September, 2015.

ORDER

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

2. Petitioner is the accused in Crime No.1168 of 2015 of Thampannoor Police Station registered for offences punishable under Sections 323, 354, 406 and 420 I.P.C.

3. Prosecution case, in short, is that the petitioner promised to marry the defacto complainant and took her gold ornaments weighing 12.6 sovereigns. He misappropriated the same and on 22-12-2014, when she refused to handover another gold chain, she was beaten on her cheeks.

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

5. Learned counsel for the petitioner submitted that even if the entire prosecution case is accepted, there is no ingredient to attract Section 354 I.P.C. Having regard to the

nature of offences, following directions are made :

1. Petitioner shall surrender before the investigating officer within a period of two weeks 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.
3. Petitioner shall appear before the Investigating Officer as and when directed in writing and co-operate with the investigation in the matter.
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//

P.A to Judge

amk