

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. 5781 of 2015

CRIME NO. 479/2015 OF MANJESWARAM POLICE STATION, KASARGOD
.....

PETITIONER(S)/ACCUSED:

**MOHAMMED @ MONU, AGED 65 YEARS,
S/O.ABDUL KHADER, BUDHIMOOLA HOUSE, KURADAPADAVU P.O.,
VAPPALA, KASARAGOD DISTRICT.**

BY ADV. SRI.I.V.PRAMOD

RESPONDENT(S)/COMPLAINANT/STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI-682 031.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

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

msv/

A.HARIPRASAD, J.

B.A. No.5781 of 2015

Dated this the 30th day of September, 2015

ORDER

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

2. Petitioner is the sole accused in Crime No.479 of 2015 of Manjeswaram Police Station registered for offences punishable under Sections 341, 323, 324 and 308 r/w 34 I.P.C.

3. Prosecution case, in short, is that on 20-08-2015 at about 4.45 p.m., there was a quarrel between the defacto complainant, petitioner and other persons regarding blocking of a road passing through the property of the petitioner. It is alleged by the prosecution that the petitioner during the course of the incident assaulted the defacto complainant with an iron rod causing multiple injuries as borne out from the wound certificate.

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

5. Learned counsel for the petitioner submitted that

petitioner is a person aged 65 years and he is a permanent resident in Bombay. He is falsely implicated in the case is the claim of the petitioner. After hearing the counsel on both sides and on perusal of wound certificate and other materials in the case diary, I am not impressed to grant pre-arrest bail to the petitioner. He shall surrender before the Investigating Officer within two weeks from today and submit himself for interrogation. The Investigating Officer shall produce him before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for regular bail before the learned Magistrate. In that event, the learned Magistrate shall consider the application as expeditiously as possible on merits.

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

amk

P.A to Judge