

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Bail Appl..No. 5799 of 2015 ()

**CRIME NO. 1046/2015 OF KOVALAM POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/1ST ACCUSED :

**REJEENDRAN @ BIJU, AGED 45 YEARS,
S/O.SANKARAN, PRAHULLA VIHAR, VLLAR
VENGANNOOR VILLAGE.**

BY ADV. SRI.R.GOPAN

RESPONDENTS/COMPLAINANTS :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
KOVALAM POLICE STATION, THIRUVANANTHAPURAM.**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.5799 of 2015

Dated this the 25th day of November, 2015

ORDER

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

2. Petitioner is the first accused in Crime No.1046 of 2015 of Kovalam Police Station registered for offence punishable under Sections 143, 147, 149, 294(b), 323, 324, 341, 308 and 424 I.P.C.

3. Prosecution case, in short, is that on 13-09-2015 at about 7.30 p.m., while the defacto complainant was travelling on a motorbike, the accused persons wrongfully restrained the defacto complainant and manhandled him. They used steel pipe, iron bar and crowbar to cause injuries.

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

5. The allegation is that the petitioner attacked the defacto complainant with an iron rod on his back. Wound certificate shows that he sustained multiple abrasion on the back of trunk. Learned Public Prosecutor opposed the bail application contending that the weapon used for assault will have to be recovered. 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 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. 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.

amk

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge