

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

Bail Appl..No. 5923 of 2015 ()

**CRIME NO. 616/2015 OF VALIYATHURA POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/ACCUSED :

**SHAJIDA NAZAR, AGED 44 YEARS,
D/O. NABEESA BEEVI, VINITHA MANZIL, VALLAKKADAVU,
MUTTHATHARA, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.BREJITHA UNNIKRISHNAN**

RESPONDENT :

**STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, -682031.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 05-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A.No.5923 of 2015

Dated this the 5th day of October, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.616 of 2015 of Valiyathura Police Station registered for the offences punishable under Sections 353, 294(b), 506(i) and 427 r/w Section 34 of the Indian Penal Code.

3. The case was registered on the basis on a complaint filed by the Director of Survey and Land records. It is alleged that on 14.05.2015 at 16.30 hours, the accused persons unlawfully formed into an assembly and caused obstruction to the discharge of official duty of the *de facto* complainant and other officers. They threatened the *de facto* complainant to demolish the compound wall of a Government property. They also destroyed the board affixed by the officers.

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

5. Learned counsel for the petitioner submitted that the land now claimed by the Survey Department was originally assigned to rehabilitate handicapped persons. The Government resiled from the promise and assigned it to the Survey Department. Agitated by the move, people of the locality gathered and resisted the *de facto* complainant's action. Petitioner pleaded innocence. Petitioner is the Councilor of Thiruvananthapuram Corporation. No one is above law and persons in public life are bound to respect law.

6. After hearing both sides the application is disposed with following directions:

(a) Petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit herself for interrogation. Thereafter, she shall be released on bail on her executing a bond for ₹25,000/- (Rupees Twenty Five Thousand Only) with two solvent sureties for the like sum to the satisfaction of the Investigating

Officer.

- (b) The petitioner shall appear before the Investigating Officer as and when required for the purpose of interrogation.
- (c) The petitioner shall co-operate with the investigation of the case.
- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) Petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge