

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

Bail Appl..No. 5944 of 2015

CRIME NO. 723/2015 OF THUMBA POLICE STATION, THIRUVANANTHAPURAM

PETITIONER(S)/1ST ACCUSED:

**MUKESH, AGED 27 YEARS,
S/O.MURUKESHAN, RESIDING AT ASHA BHAVAN, MANVILA,
KULATHOOR P.O., THIRUVANANTHAPURAM.**

**BY ADVS.SRI.J.R.PREM NAVAZ
SRI.P.T.SHEEJISH**

RESPONDENT(S)/STATE:

**STATE OF KERALA,
REPRESENTED BY THE SUB-INSPECTOR OF POLICE,
FORT POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682032.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No.5944 of 2015

Dated this the 1st day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.723 of 2015 of Thumba Police Station registered for offences punishable under Sections 294(b), 323, 452 and 427 r/w Section 34 I.P.C.

3. Prosecution case, in short, is that on 28-08-2015 at about 9.30 p.m., the accused 1 to 4 allegedly trespassed into the house of the defacto complainant armed with a chopper and abused the defacto complainant. Thereafter, he damaged the front door of the house causing a loss of Rs.10,000/- and thereby committed the aforementioned offences.

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

5. The only non bailable offence is only under Section

452 Cr.P.C. Considering the nature of allegations, 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, the petitioner 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. Petitioners shall deposit Rs.10,000/- (Rupees ten thousand only) before the learned Magistrate having jurisdiction within two weeks from the date of execution of bond.
4. Petitioner shall appear before the Investigating Officer as and when directed.
5. Petitioner shall not influence or intimidate witnesses.
6. 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.**

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amk

P.A to Judge