

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. 5947 of 2015 ()

CRIME NO. 1350/2015 OF NEDUMANGAD POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT

PETITIONER/ACCUSED:

RAJAN @ SIVAN, AGED 33 YEARS,S/O.APPUKUTTAN,
VALAVATTI ATTARIKATHU VEEDU,CHEKKAKONAM P.O.,
KARAKULAM VILLAGE, NEDUMANGAD TALUK,
THIRUVANANTHAPURAM.

BY ADVS.SMT.M.SANTHI
SRI.G.RANJU MOHAN

RESPONDENT/STATE:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY SR 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:

sts

A.HARIPRASAD, J.

B.A.No.5947 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 1st accused in Crime No.1350 of 2015 of Nedumangad Police Station registered for the offences punishable under Sections 452, 294(b), 427, 354 and 506(i) r/w Section 34 of the Indian Penal Code.

3. The prosecution allegation against the petitioner is that on 25.08.2015, the accused persons rang the calling bell of the *de facto* complainant's house. When she refused to open the door, they armed with weapons broke open the door and barged into the house of the *de facto* complainant. They ransacked the house and the petitioner caught hold of the *de facto* complainant by neck.

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

5. Considering the nature of allegations, *prima facie*, I do not find any material to attract an offence under Section 354 of the Indian Penal Code. Considering

the materials in the case diary, I am inclined to grant anticipatory bail to the petitioners with the following conditions:

- (a) Petitioner shall surrender before the Investigating Officer within a period of 'one week' from today and submit himself for interrogation. Thereafter, he shall be released on bail on his 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