

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. 5950 of 2015 ()

CRIME NO. 1958/2014 OF CHAVAKKAD POLICE STATION, THRISSUR DISTRICT

PETITIONER/A3 :

**FAHEETHA,
AGE 26, D/O.HASSAN,
POKARATH VALIYAKATH HOUSE
MUTHUVATTOOR DESOM,
GURUVAYOOR VILLAGE
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.C.S. HRITHWIK
SRI.SHAJIN S.HAMEED**

RESPONDENTS/STATE:

**STATE OF KERALA,
REPRESENTED THROUGH THE DEPUTY SUPERINTENDENT OF POLICE
KUNNAMKULAM, REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R. REMA

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

Mn

A.HARIPRASAD, J.

B.A No.5950 of 2015

Dated this the 5th day of October, 2015.

ORDER

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

2. Petitioner is the third accused in Crime No.1958 of 2014 of Chavakkad Police Station registered for offences punishable under Sections 341, 323 and 506(ii) I.P.C and Section 3(1) of Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989 (for short 'the Act').

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

4. Petitioner's case, in short, is that on 18-10-2014 at about 6.00 p.m., first and second accused came out of their house and uttered obscene words against the defacto complainant and called her caste name. There is no allegation against this petitioner of committing any offence under the Act.

5. Considering the entire allegations, I am of the view that custodial interrogation is not necessary in this case. Hence,

following directions are issued :

1. Petitioner shall surrender before the investigating officer within a period of one week from today and submit himself for interrogation. Thereafter, he shall execute 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. The petitioner shall appear before the Investigating Officer as and when directed and co-operate with the investigation.
4. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

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