

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. 5957 of 2015 ()

**CRIME NO. 1368/2015 OF ERNAKULAM TOWN NORTH POLICE STATION ,
ERNAKULAM DISTRICT**

PETITIONER :

**SHIBU P., AGED 38 YEARS, S/O.PETER,
KONOTH HOUSE, RANJEEV GANDHI LANE, VADUTHALA,
KOCHI - 23, ERNAKULAM.**

BY ADV. SRI.M.L.SURESH KUMAR

RESPONDENT :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT 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.5957 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.1368 of 2015 of Ernakulam Town North Police station, registered for the offences punishable under Sections 324, 294(b) and 506(i) of the Indian Penal Code and Section 3(1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The prosecution case is that on 15.09.2015, the petitioner abused the *de facto* complainant and hit him with a wheels spanner. Further, he called out the caste name of the *de facto* complainant, there by, committed the said offences.

4. After hearing the counsel on both sides and considering the nature of allegations, I am of the view that the application can be disposed in the following manner.

The petitioner shall surrender before the Investigating Officer within a period of 'one

week' from today and submit himself for interrogation. The Investigating Officer shall produce him before the learned Magistrate having jurisdiction on the date of surrender itself. In that event, the learned Magistrate shall dispose of the application as expeditiously as possible if possible on the date of surrender itself in view of the principles in **Shanu v. State of Kerala** [2000(3) KLT 452].

Sd/-

A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge