

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

Bail Appl..No. 6048 of 2015

CRIME NO. 595/2015 OF CHANDERA POLICE STATION , KASARGOD

PETITIONER(S)/ACCUSED NO.1:

**NANGARATH YAKKOB, AGED 34 YEARS,
S/O.KUNHASIYA.N., RESIDING AT THADIYANKOVVAL,
UDINOOR VILLAGE, P.O.UDINOOR,
KASARAGOD DISTRICT 671 310.**

BY ADV. SRI.M.V.AMARESAN

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN: 682 031.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.6048 of 2015

Dated this the 6th day of October 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the 5th accused in Crime No.595 of 2015 of Chandra Police station registered for the offences punishable under Secs.147, 148, 323, 341, 324, 308 read with Sec.149 of the Indian Penal Code. The prosecution case is that on 20.08.2015 during night at 9.00 p.m., the petitioner and 4 others assaulted the defacto complainant by using iron rod causing him injuries.

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

4. Learned counsel for the petitioner submitted that the petitioner is falsely implicated in this case. It is also submitted that his mother has taken up this matter to the District Police Chief, Kasaragod requesting a proper investigation.

5. Learned Public Prosecutor read out the

relevant portions of the First Information Statement naming the petitioner in the incident. The allegation is that the 2nd accused used iron rod to beat the defacto complainant. There is no case in the First Information Statement that the petitioner used any weapon.

Considering the nature of allegations, following directions are issued.

1. The petitioner shall surrender before the investigating officer within a period of one week and submit himself for interrogation.

2. In the event of arrest, the petitioner shall be released on his 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.

3. The petitioner shall appear before the Investigating Officer as and when directed by the investigating officer in

writing.

4. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/06/10/2015

P.A. To Judge