

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 12TH DAY OF NOVEMBER 2015/21ST KARTHIKA, 1937

Bail Appl..No. 6138 of 2015

**CRIME NO. 33/2015 OF NARUVAMOODU POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**
.....

PETITIONER/2ND ACCUSED:

**SAJEEV,
S/O.VIJAYAKUMAR,AGED 28 YEARS,
RESIDING AT CHUMATTARAKKAVIL VEEDU,
IDAKODU, NEMOM P.O, THIRUVANANTHAPURAM.**

BY ADV. SRI.R.V.SREEJITH

RESPONDENT/COUNTER PETITIONER:

**STATE OF KERALA,
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 12-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A.No.6138 of 2015

Dated this the 12th day of November, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the 2nd accused in Crime No.33 of 2015 of Naruvanmoodu Police Station registered for the offence punishable under Section 394 of the Indian Penal Code.

3. Prosecution case is that on 18.01.2015 at about 16.45 hours, four persons attacked the defacto complainant for not providing goonda fees. Defacto complainant was engaged in construction activities. It is the allegation that the first accused robbed ₹42,500/- and a mobile phone.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner was not implicated by the defacto complainant initially. The identity of the 4th accused revealed was as Vellappally Jeeven. Petitioner is Sajeev

residing at Idakodu. His name was added much after the investigation. According to the learned counsel for the petitioner, he is falsely implicated the case.

6. Considering the facts and circumstances and the nature of the allegations, I am inclined to grant anticipatory bail to the petitioner with the following conditions:

- (a) Petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. Thereafter, he shall be released on bail on his executing a bond for ₹50,000/- (Rupees fifty 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) The 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