

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

Bail Appl..No. 6155 of 2015 ()

**CRIME NO. 509/2015 OF VALIAMALA POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/IST ACCUSED :

**GIREESHAN, AGED 48 YEARS,
S/O VELAYUDHAN, SRESHYLA HOUSE, KUZHIVILA,
UZHAMALAKKAL VILLAGE, TRIVANDRUM DISTRICT.**

**BY ADVS.SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN**

RESPONDENT/STATE :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682031.**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A No.6155 of 2015

Dated this the 9th day of October, 2015.

ORDER

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

2. Petitioner is the first accused in Crime No.509 of 2015 of Valiyamala Police Station registered for offences punishable under Sections 143, 147, 149, 452, 294(b), 454, 506 (i) r/w Section 3(i)(10) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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

4. Prosecution case, in short, is that on 23-08-2015 at about 6.00 p.m., the petitioner along with 30 other identifiable persons trespassed into the house of the defacto complainant and uttered filthy words.

5. Learned Public Prosecutor produced the case diary and the report for perusal. There is no specific allegation against the petitioner and the complicity of the petitioner in this case is

not revealed. Having regard to the facts and circumstance of the case, I am of the view that the petitioner is entitled to plead for pre-arrest bail under Section 438 of the Code of Criminal Procedure. Therefore, following directions are made :

1. Petitioner shall surrender before the investigating officer within a period of one week from today and submit himself for interrogation. In that event, the petitioner shall be released on bail on 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.
2. The sureties shall produce documents to establish their identity and solvency.
3. Petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.

If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.