

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. 6156 of 2015 ()

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CRIME NO. 514/2015 OF VALIYAMALA POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT
-----**

PETITIONER/ACCUSED:

**-----
LIBIN KURUP, AGED 23 YEARS,
S/O. SANKARA NARAYANA KURUP, PONPARA VEEDU,
CHOODAN, MEEMUTTY P.O, PALODE,
THIRUVANANTHAPURAM.**

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

RESPONDENT/STATE:

**-----
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 09-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A No.6156 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 accused in Crime No.514 of 2015 of Valiyamala Police Station registered for offences punishable under Sections 341 and 354 I.P.C.

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

4. Prosecution case, in short, is that on 22-08-2015 at about 9.30 a.m., the accused obstructed the defacto complainant and spit on her face and used abusive words.

5. Learned Public Prosecutor submitted that the offence initially alleged is punishable under Section 354 I.P.C has been deleted. Instead, Section 354A I.P.C has been added. This is a bailable offence. So, both the offences in the case alleged

against the petitioner are bailable. Hence, application under Section 438 Cr.P.C is not maintainable.

Bail application dismissed accordingly.

Sd/-
A.HARIPRASAD,
JUDGE.

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P.A to Judge

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