

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 6173 of 2015

CRIME NO. 905/2015 OF ADOOR POLICE STATION, PATHANAMTITTA

PETITIONER(S)/ACCUSED NO.2:

**ANISH S., AGED 27 YEARS,
S/O.CHANDRIKA, CHARUVILAYIL VEEDU,
THUVAYOOR NORTH PO,
MANAKKALA, ADOOR ,
PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S**

RESPONDENT(S)/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**
- 2. SUB INSPECTOR OF POLICE,
ADOOR POLICE STATION, ADOOR,
PATHANAMTHITTA-689 645.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

RAJA VIJAYARAGHAVAN V, J.

B.A.No.6173 of 2015

Dated this the 15th day of October, 2015

O R D E R

This is an application for pre-arrest bail filed under S.438 of the Code of Criminal Procedure.

2. The petitioner is the second accused in Crime No.905/2015 of Adoor police station. The said crime has been registered against one Vishnu and two others for having committed offence punishable under S.447, 354, 506(1) r/w S.34 of the IPC.

3. The prosecution allegation is that on 06.05.2015 at about 4.30 p.m., the first accused Vishnu along with the other accused went to the house of the de facto complainant and demanded that her elder daughter Aswathy's hand be given in marriage to the first accused. When the said

demand was not assented to by the informant, the first accused is alleged to have pushed the informant and her husband.

4. I have heard the learned counsel appearing for the petitioner as well as the learned Public Prosecutor.

5. The learned counsel for the petitioner has pointed out that the allegations are all raised against the principal accused Vishnu. According to the learned counsel, though the incident had taken place on 06.05.2015, the crime was registered only on 11.05.2015. It is further argued that the first accused was arrested by the police and he was later enlarged on bail by the jurisdictional Magistrate.

6. In view of the facts and circumstances, I am satisfied that anticipatory bail can be granted to the petitioner on stringent conditions:

i). The petitioner shall be released on bail after interrogation on his executing a bond for 25,000/- with two solvent sureties for the like sum if he is arrested by the Police in connection with this case.

ii). The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the court or to any police officer.

iii). The petitioner shall make himself available for interrogation as and when required by the investigating officer.

iv). The petitioner shall not influence or intimidate the prosecution witnesses or attempt to tamper with the evidence for the prosecution.

v). The petitioner shall not commit any similar offence while on bail.

vi). The petitioner shall not leave India without the previous permission of the jurisdictional magistrate.

vii). In case of violation of any of the above conditions, the jurisdictional magistrate shall be empowered to cancel the bail in accordance with law.

This application is allowed as above.

Sd/-
**RAJA VIJAYARAGHAVAN V,
JUDGE.**

Bb

[True copy]

P.A to Judge