

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

Bail Appl..No. 6275 of 2015

CRIME NO. 1253/2015 OF SOORANADU POLICE STATION, KOLLAM
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PETITIONER(S)/ACCUSED:

**MOHANAN PILLAI, AGED 41 YEARS,
S/O.RAGAVAN PILLAI, THEJAS, HOUSE,
AYIKKUNNAM, SOORANADU SOUTH, KOLLAM DISTRICT.**

**BY ADVS.SRI.ZUBAIR PULIKKOOL
SRI.P.S.BINU**

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
19-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD, J.

B.A. No.6275 of 2015

Dated this the 19th day of November, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.1253 of 2015 of Sooranadu Police Station registered alleging offences punishable under Sections 447, 294(b), 323, 324 and 326 read with Section 506(ii) of the Indian Penal Code. He seeks pre-arrest bail.

3. Allegation is that on 20.09.2015 at 8.00 p.m., the petitioner trespassed into the property of the defacto complainant and pushed mother of the defacto complainant. When that was resisted, the defacto complainant and his father was attacked by a torch light which caused the fracture of nasal bone of defacto complainant and fracture of finger of his father.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application.

I have perused the case diary. It is seen that the torch light was used for assault. The weapon of oppression is not recovered.

Considering the facts and circumstances, I do not find any need to have a custodial interrogation. Hence the following order:

i. Petitioner shall surrender before the investigating officer within a period of two weeks and submit himself for interrogation. Thereafter he shall execute a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer. In that event, he shall be released on bail in Crime No.1253 of 2015 of Sooranadu Police Station.

ii. The sureties shall produce documents to establish their identity and solvency. The investigating officer shall not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioner shall appear before the investigating officer as and when directed and co-operate with the investigation in the matter.

iv. He shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the officer concerned is free to arrest the petitioner as if no order is passed.

A. HARIPRASAD, JUDGE.

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