

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

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

Bail Appl..No. 6323 of 2015

**CRIME NO. 723/2015 OF THUMBA POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/A2 :

**GIJO K.DAS, AGED 29 YEARS,
S/O.S.KRITHYADAS, KG NIVAS, KIZHAKUMKARA,
KULATHOOR.P.O., THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.BREJITHA UNNIKRISHNAN**

RESPONDENT(S) :

**THE STATE OF KERALA,
REP. BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA- 682 031.**

BY GOVERNMENT PLEADER SMT.TY.LALIZA

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

Msd.

A.HARIPRASAD, J.

B.A No.6323 of 2015

Dated this the 15th day of October, 2015.

ORDER

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

2. Petitioner is the second accused in Crime No.723 of 2015 of Thumba Police Station registered for offences punishable under Sections 294(b), 452, 323 and 427 r/w Section 34 I.P.C.

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

4. Prosecution case, in short, is that on 28-08-2015 at about 9.30 p.m., the accused Nos. 1 to 4 allegedly trespassed into the house of the defacto complainant armed with a chopper and abused the defacto complainant. Thereafter, he damaged the front door of the house causing a loss of Rs.10,000/- and thereby committed the aforementioned offences.

5. Learned counsel for the petitioner submitted that this Court granted pre-arrest bail to the first accused as per bail

application order in B.A5944 of 2015 dated 01-10-2015.

Considering the nature of allegations, I am inclined to grant pre-arrest bail to this petitioner also with following directions :

1. Petitioner shall surrender before the investigating officer within a period of two weeks 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. Petitioners shall deposit Rs.10,000/- (Rupees ten thousand only) before the learned Magistrate having jurisdiction within two weeks from the date of execution of bond.
4. Petitioner shall appear before the Investigating Officer as and when directed.
5. Petitioner shall not influence or intimidate witnesses.
6. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

**A.HARIPRASAD,
JUDGE.**