

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

Bail Appl..No. 6471 of 2015 ()

CRIME NO. 2586/2015 OF ADOOR POLICE STATION,PATHANAMTHITTA DISTRICT

APPLICANT/ACCUSED NO. 1:

**FREDY LUIES, AGED 43 YEARS,
S/O.LATE MATHAI, PALAKKATTU HOUSE, KATTAYAD P.O.,
VELLAMUNDA VILLAGE, MANANTHAVADY TALUK,
WAYANAD DISTRICT.**

**BY ADVS.SRI.KRISHNA PRASAD. S
SRI.NOBEL RAJU
SRI.S.RASHEED**

RESPONDENT/COMPLAINANT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
REPRESENTING THE STATION HOUSE OFFICER,
ADOOR POLICE STATION, PIN -682 031**

BY PUBLIC PROSECUTOR SMT. BINDU GOPINATH

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

sts

BABU MATHEW P. JOSEPH, J.

B.A. No. 6471 of 2015

Dated this the 11th day of November, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C for anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned public prosecutor appearing for the respondent. C.D. produced.

3. The petitioner is the 1st accused in Crime No.2586 of 2015 of Adoor Police Station. The offences alleged are under Sections 452, 323, 354, 427, 294(b) and 506(1) read with Section 34 of IPC. Learned counsel for the petitioner submits that the petitioner is innocent of the allegations raised against him. He has no criminal antecedents. The investigation of the case is almost over. The custodial interrogation of the petitioner is not required. He further submits that the petitioner

apprehends arrest by the police at any time.

4. Learned public prosecutor has opposed this petition. She admits the fact that the investigation of the case has progressed much. She further submits that no criminal antecedents have been reported against the petitioner. On considering the facts and circumstances, stage of the investigation and the fact that no criminal antecedents have been reported against the petitioner, this Court is satisfied that the petitioner can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioner is granted anticipatory bail subject to the following conditions:

1. The petitioner shall surrender before the Investigating Officer on or before 19.11.2015. In the event of his arrest, he shall be released on bail on his executing a bond for ₹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 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 or her from disclosing such facts to the Court or to any Police Officer.

3. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.
4. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
5. The petitioner shall not commit any similar offence while on bail.
6. The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE