

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 30TH DAY OF NOVEMBER 2015/9TH AGRAHAYANA, 1937Q

Bail Appl..No. 6501 of 2015

CRIME NO. 668/2015 OF POZHIOOR POLICE STATION, THIRUVANANTHAPURAM.
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PETITIONER/ACCUSED:

**JAYAKRISHNAN, AGED 29 YEARS,
S/O. KRISHNAMMA, KUTTANTHURANNAVILA,
ATTUPURAM, KULATHOOR VILLAGE, NEYYATINKARA.**

BY ADV. SRI.R.GOPAN

RESPONDENT(S)/COMPLAINANTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. SUB INSPECTOR OF POLICE,
POZHIOOR POLICE STATION,
THIRUVANANTHAPURAM(RURAL)-695 001.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.6501 of 2015

Dated this the 30th day of November, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.668 of 2015 of Pozhiyoor Police Station registered alleging offences punishable under Sections 294 (b), 323, 324 and 354 of the Indian Penal Code. He seeks pre-arrest bail.

3. Prosecution allegation is that on 22.09.2015 at 9.30p.m., the petitioner along with his mother went to the house of the defacto complainant and after calling her out, the accused showered filthy words against the defacto complainant and attacked her with a piece of wood.

4. Heard both sides.

5. Learned counsel for the petitioner produced the wound certificate of the defacto complainant to contend that there was no external injury sustained by her in the incident. Further, there is no indecent allegation against the accused for having committed an offence under Section 354 of the Indian Penal Code.

Considering the facts and circumstances, following directions are issued:

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.668 of 2015 of Pozhiyoor 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 on all Saturdays between 10.00 and 11.00 a.m. until the final report is filed.

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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