

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

Bail Appl..No. 6572 of 2015 ()

CRIME NO. 302/2015 OF TANUR POLICE STATION,MALAPPURAM DISTRICT

PETITIONER/ACCUSED:

ARIFUDHEEN @ ARIF,
S/O.HAMEED, AGED 21 YEARS,
KUTTIYAMMUVINTE PURAKKAL,
ANJUDI KADAPPURAM, PUTHIYA KADAPPURAM P.O.,
TANUR, MALAPPURAM DISTRICT.

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT(S)/COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
TANUR POLICE STATION,MALAPPURAM DISTRICT
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
 2. SHAHANAD, S/O.HAMSA, AGED 21 YEARS,
KUNNATH HOUSE, PUTHIYAKADAPPURAM,
TANUR, MALAPPURAM DISTRICT.

R1 BY PUBLIC PROSECUTOR SMT. R.REMA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

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A.HARIPRASAD, J.

B.A. No.6572 of 2015

Dated this the 17th day of November, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the sole accused in Tanur Police Station Crime No.302 of 2015 registered alleging offences punishable under Sections 452, 324 and 307 of the Indian Penal Code. He seeks pre-arrest bail.

3. It is alleged that on 24.02.2015 the accused trespassed into the house of the defacto complainant and attacked him with a knife and caused injuries.

4. Heard the learned counsel for the petitioner and the defacto complainant. Learned Prosecutor is also heard.

5. It is submitted by the learned counsel for the petitioner and the defacto complainant that the matter has been settled between the parties. Both the accused and the injured are autorickshaw drivers. It is also contended that the allegation against the petitioner is that he caused injury with knife attached to a nail cutter.

Considering the entire matters, 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.302 of 2015 of Tanur 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 in writing 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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