

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

THURSDAY, THE 12TH DAY OF NOVEMBER 2015/21ST KARTHIKA, 1937

Bail Appl..No. 6624 of 2015

CRIME NO. 1906/2015 OF PUNALUR POLICE STATION , KOLLAM

PETITIONER/ACCUSED:

PREMRAJ K.NAIR AGED 25 YEARS
S/O.K.G.K.NAIR, VAISHAK, TC 3/1468(1) NSP NAGAR -121
KESHAVADASAPURAM, PATTOM POST
THIRUVANANTHAPURAM-695 004.

BY ADVS.SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.V.S.THOSHIN
SRI.ALEX GEORGE (CHAMAPPARAYIL)

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
THROUGH THE SUB INSPECTOR OF POLICE
PUNALUR POLICE STATION, KOLLAM.

R BY PUBLIC PROSECUTOR SMT. MADHUBEN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
12-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

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B.A. No. 6624 OF 2015

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Dated this the 12th 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 accused in Crime No. 1906 of 2015 of Punalur Police Station. The offence alleged is under Section 498A of the Indian Penal Code. 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 has progressed much. He is undergoing internship after passing BDS course at the Kasturba Medical College, Mangalore. He is ready

and willing to comply with any conditions imposed by this Court in the event of granting him anticipatory bail. He further submits that the petitioner apprehends arrest by the police at any time.

4. The learned Public Prosecutor has opposed this petition. She submits that the investigation of the case has progressed much. She further submits that no criminal antecedents have been reported against the petitioner except the fact that Crime No. 1584 of 2015 of Peroorkada Police Station has been registered against him alleging the offences under Sections 498A, 494 and 495 of IPC. On considering the facts and circumstances, stage of the investigation and the facts that no criminal antecedents have been reported against the petitioner except the fact that Crime No. 1584 of 2015 of Peroorkada Police Station has been registered against him alleging the offences under Sections 498A, 494 and 495 of IPC and he is a medical student, this Court is of the view that the petitioner can be

granted anticipatory bail imposing appropriate conditions.

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

1) The petitioner shall surrender before the Investigating Officer on or before 20.11.2015. In the event of his arrest, he shall be released on bail on his executing a bond for Rs. 25,000/- (Rupees twenty five thousand) 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 application is allowed as above.

Sd/-

**BABU MATHEW P. JOSEPH
JUDGE**

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True copy

P.S. (Hr.Gr.)To Judge