

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

Bail Appl..No. 6720 of 2015

CRIME NO. 906/2015 OF CHOKLI POLICE STATION, KANNUR DISTRICT.
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PETITIONER:

**RAHID @ RASHI,
S/O.MUHAMMED, AGED 29 YEARS,
PARAMBATH HOUSE, ELANGODE P.O,
THALASSERY, KANNUR.**

**BY ADVS.SRI.P.S.NANDANAN
SRI.SANTHOSH PETER (MAMALAYIL)
SRI.P.N.ANOOP
SRI.B.G.RENJITH**

RESPONDENT:

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.ABHIJET LESSLIE

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

RAJA VIJAYARAGHAVAN V, J.

B.A.No.6720 of 2015

Dated this the 30th day of October, 2015

O R D E R

This is an application for anticipatory bail filed under S.438 of the Code of Criminal Procedure.

2. The petitioner is the first accused in Crime No.906/2015 of Chokli Police Station. The said crime has been registered for offence punishable under S.143, 147, 452, 427, 323 & 354 r/w S.149 of the IPC.

3. The prosecution allegation is that, on 28.09.2015 at about 2.p.m., the petitioner along with 5 others trespassed into the house of the de facto complainant and caused damage to the window panes of the house and voluntarily caused hurt by hitting her with their hands.

4. I have heard the learned counsel appearing for the petitioner as well as the learned Public Prosecutor.

5. The learned counsel appearing for the petitioner has submitted that the petitioner was working abroad and he had occasion to go to the house of the informant for mediating a dispute. According to the learned counsel, the allegations levelled are false and he has been falsely implicated in the aforesaid crime. The learned Public Prosecutor, on instructions, has opposed the application.

6. After having considered the rival submissions, the nature and gravity of the allegations, the trivial injuries sustained, the antecedents of the petitioner and the other circumstances, I am of the considered view that anticipatory bail can be granted to the petitioner by imposing appropriate conditions.

In the result, this application is allowed, but subject to the following conditions:

- i). The petitioner shall be released on bail after interrogation on his executing a bond for 25,000/- with two solvent sureties for the like sum if he is arrested by the Police in connection with this case.
- ii). 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/ her from disclosing such facts to the court or to any police officer.
- iii). The petitioner shall make himself available for interrogation as and when required by the investigating officer.
- iv). The petitioner shall not influence or intimidate the prosecution witnesses or attempt to tamper with the evidence for the prosecution.
- v). The petitioner shall not commit any similar offence while on bail.
- vi). The petitioner shall not leave India without the previous permission of the

jurisdictional magistrate.

vii). In case of violation of any of the above conditions, the jurisdictional magistrate shall be empowered to cancel the bail in accordance with law.

This application is allowed as above.

Sd/-
**RAJA VIJAYARAGHAVAN V,
JUDGE.**

Bb

[True copy]

P.A to Judge