

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

Bail Appl..No. 6813 of 2015

CRIME NO. 1569/2015 OF KONNI POLICE STATION, PATHANAMTITTA

PETITIONER/ACCUSED:

**PRADEEP AJAYAN KUMAR, AGED 38 YEARS,
S/O.AJAYKUMAR, RESIDING AT AJAYA BHAVANAM HOUSE,
V.KOTTAYAM VILLAGE, KONNY TALUK,
PATHANAMTHITTA DISTRICT, PIN-689691.**

BY ADV. SRI.JOHN MATHEW (THEREZHATH)

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A.No.6813 of 2015

Dated this the 3rd day of November, 2015

O R D E R

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.1569 of 2015 of Konny Police Station registered for the offences punishable under Sections 294, 323, 452 and 354 of the Indian Penal Code.

3. Prosecution case is that on 09.10.2015 at about 02.30 p.m., the petitioner in a drunken bout trespassed into the shop of the defacto complainant, a lady, and outraged her modesty and caused hurt. He committed damage to the movables in the shop as well.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that there is a monitory dispute between the petitioner and the defacto complainant. This is a false case foisted on the petitioner.

6. Learned Public Prosecutor opposed the bail application. I have carefully perused the materials in the

case diary.

7. Considering the nature of allegations, I am not inclined to grant anticipatory bail to the petitioner.

The petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. The Investigating Officer shall produce him before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for bail before the learned Magistrate and in that event, the learned Magistrate may consider the application on merits, if possible on the date of surrender itself.

A.HARIPRASAD, JUDGE.

AS