

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

Bail Appl..No. 6941 of 2015

CRIME NO. 1706/2015 OF RANNI POLICE STATION, PATHANAMTHITTA.
.....

PETITIONER/ACCUSED NO.1:

**C.S. BIJU, AGED 43 YEARS,
S/O.SEKHARA PILLAI, PARIYARATHU HOUSE,
MAKKAPPUZHA P.O., RANNI TALUK,
PATHANAMTHITTA DIST.**

BY ADV. SRI.V.SETHUNATH

RESPONDENT(S)/COMPLAINANT/STATE:

- 1. THE SUB INSPECTOR,
RANNI POLICE STATION,
PATHANAMTHITTA DIST.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. No.6941 of 2015

Dated this the 2nd day of December 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.1706 of 2015 of Ranni Police station registered for the offences punishable under Secs.143, 147, 148, 341, 323, 324, 294(b) and 392 read with Sec.149 of the Indian Penal Code. Prosecution case is that, on 22.10.2015 at about 8.30 p.m., the petitioner along with others, as members of an unlawful assembly attacked the defacto complainant, abused him and pulled him down from a motor bike. Thereafter, the petitioner robbed a gold chain weighing 3 sovereigns and Rs.25,000/- (Rupees twenty five thousand only) from the defacto complainant.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Learned counsel for the petitioner submitted that the case of robbery is not supported by any material. In fact, prior to this incident, there was another incident

wherein, the defacto complainant is alleged to have been attacked by the petitioner. According to the petitioner, he owns a JCB and the defacto complainant owed money to him. When money was demanded, the defacto complainant picked up a quarrel is the case of the accused.

4. After hearing the learned counsel on both sides and having perused the case diary, I am of the view that custodial interrogation of the petitioner is not necessary. Hence, pre arrest bail is granted to the petitioner with the following conditions.

1. The petitioner shall surrender before the investigating officer within a period of two weeks and submit himself for interrogation.

2. In the event of arrest, the petitioner shall be released on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioner shall appear before the

Investigating Officer for interrogation on all Saturdays between 9.00 a.m. and 10.00 a.m. until final report is filed.

4. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/02/12/2015

P.A. To Judge