

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

Bail Appl..No. 6968 of 2015

**CRIME NO. 1498/2015 OF KARIYILAKULANGARA POLICE STATION,
ALAPPUZHA DISTRICT.**
.....

PETITIONER(S)/ACCUSED NO. 1-3:

1. **AJITH, AGED 36, S/O.SHIVANANDAN,
ARIKKATHARAYIL HOUSE, KANJOOR,
CHEPPAD P.O, ALAPUZH.**
2. **SHARATH S., AGED 29, S/O.SASI,
SHARADALAYAM HOUSE,
CHINGOLI PO, CHINGOLI, ALAPUZH.**
3. **SHYAM S., AGED 24, S/O.SASI,
SHARADALAYAM HOUSE,
CHINGOLI PO, CHINGOLI, ALAPUZH.**

**BY ADVS.SRI.J.R.PREM NAVAZ
SRI.P.T.SHEEJISH**

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE SUB-INSPECTOR OF POLICE,
KARIYILAKULANGARA POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 032.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A No.6968 of 2015

Dated this the 13th day of November, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioners are accused 1 to 3 in Crime No.1498 of 2015 of Kariyilakulangara Police Station registered for offences punishable under Sections 354, 294B, 341 and 323 r/w Section 34 I.P.C.

3. Prosecution case, in short, is that on 21-10-2015 at about 8.00 a.m., the petitioners along with 4th accused attacked the sister's son of the defacto complainant. At that time, the defacto complainant, who is a lady, intervened and the accused persons outraged her modesty.

4. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

5. Learned counsel for the petitioners submitted that there is no allegation of any offence under Section 354 I.P.C against the petitioners. Learned Public Prosecutor submitted that the allegation

under Section 354 I.P.C is only against the 4th accused. Considering the nature of allegations, I find that bail can be granted to the petitioners with following directions :

1. Petitioners 1 to 3 shall surrender before the investigating officer within a period of two weeks from today and submit themselves for interrogation. In that event, they shall be released on bail on executing a bond for Rs.25,000/- each (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency. The Investigating Officer need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. Petitioners shall appear before the Investigating Officer as and when directed.
4. Petitioners shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioners, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.

amk

//True copy//

P.A to Judge