

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

Bail Appl..No. 6980 of 2014 ()

CRIME NO. 1202/2014 OF KALLAMBALAM POLICE STATION,
THIRUVANANDAPURAM

PETITIONER(S) /PETITIONER/ACCUSED:

PRADEEP AGED 19 YEARS
S/O.PUSHPAN, KUNNUVILA PUTHEN VEEDU
PUTHUSSERRYMUKKU P.O, KALLAMBALAM, KARAVARAM
THIRUVANANTHAPURAM 695 605

BY ADV. SRI.M.DINESH

RESPONDENT(S) /RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM 682031

BY PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN

THIS BAIL APPLICATION HAVING COME UP FOR
ADMISSION ON 02-06-2015, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:

B. SUDHEENDRA KUMAR, J.

.....
Bail Application No. 6980 of 2014
.....

Dated this the 2nd day of June, 2015

ORDER

The petitioner is the sole accused in Crime No. 1202/2014 of Kallambalam Police Station registered for offences under Sections 294(b), 447 and 326 of IPC.

2. The prosecution allegation is that on 18-8-2014 at about 9.30 p.m., the petitioner trespassed into the courtyard of the house of the de facto complainant and attacked the de facto complainant with knife and iron rod. The de facto complainant lost one tooth in the attack with the iron rod.

3. I have heard the learned counsel for the applicant and the learned Public Prosecutor.

4. The learned Public Prosecutor has no serious objection in granting the relief under Section 438 Cr.P.C. in favour of the petitioner. It has been submitted by the learned Public Prosecutor that the petitioner is a close relative and neighbour of the de facto complainant. The Learned Public Prosecutor has further submitted that the petitioner is also not involved in any other offence of similar nature. Considering the facts and circumstances of the case including the submission of the learned Public Prosecutor, I am of the view that the custodial interrogation of the petitioner is not necessary for the progress of investigation of the case. Therefore, I am inclined to grant the relief under Section 438 Cr.P.C. in favour of the petitioner.

In the result, this Application stands allowed and the respondent is directed to release the petitioner on bail, in the event of his arrest in connection with Crime No. 1202 of 2014 of Kallambalam Police Station on condition of the petitioner executing a bond for Rs. 35,000/- (Rupees thirty five thousand only) with two solvent sureties each for the like amount to the

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satisfaction of the arresting officer, before whom the petitioner shall surrender within ten days from this date and subject to the following conditions:

- i) The petitioner shall report before the Investigating Officer on every Monday between 9 a.m. to 11 a.m. for six months or till the filing of the final report, whichever is earlier.
- ii) The petitioner shall not influence or intimidate the witnesses or in any way tamper with the investigation.
- iii) The petitioner shall not get involved in any offence while on bail.

Dated this the 2nd day of June, 2015.

Sd/-B. SUDHEENDRA KUMAR,
JUDGE.

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P.S. to Judge