

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. 7053 of 2015

CRIME NO. 1287/2015 OF PONNANI POLICE STATION, MALAPPURAM DISTRICT.
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PETITIONER/ACCUSED:

RADHAKRISHNAN,
S/O.KUNHAN, AGED 67 YEARS,
PANANGADATH HOUSE, NARIPARAMBU,
THAVANOOR, MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENT(S)/STATE & COMPLAINANT:

1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682 031.
2. THE SUB INSPECTOR OF POLICE,
PONNANI POLICE STATION,
MALAPPURAM DISTRICT.

*ADDL. R3 IMPEADED

3. INDIRA MENON, W/O.BALACRISHNA MENON,
AGED 68 YEARS, MANGAD HOUSE,
NARIPARAMBU.P.O., PONNANI, MALAPPURAM DISTRICT.

ADDL. R3 IS IMPEADED AS PER ORDER DATED 13.11.2015 IN
CRL.MA.10700/2015 IN BA.7053/2015.

R1 & R2 BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA
ADDL. R3 BY ADVS. SRI.ABDUL JALEEL.A
SMT.M.A.SULFIA

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.7053 of 2015

Dated this the 13th day of November, 2015.

ORDER

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

2. Petitioner is the accused in Crime No.1287 of 2015 of Ponnani Police Station registered for offences punishable under Sections 341, 447, 324, 354 and 308 I.P.C.

3. Prosecution case, in short, is that on 27-10-2015 at about 8.45 a.m., the accused person trespassed into the compound of the defacto complainant and attacked her.

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

5. Learned counsel for the petitioner submitted that the accused person along with his wife was clearing a pathway to remove the weeds grown there. At that time, the defacto complainant intervened and picked up a quarrel. It is also submitted that there are civil litigations pending between the parties in respect of the pathway. Learned counsel for the defacto complainant opposed the

bail application contending that the accused person attacked the defacto complainant, who is a lady, with a chopper causing serious injury to her. Learned Public Prosecutor also opposed the bail application. Considering the nature of allegations, I find that bail can be granted to the petitioner with following directions :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, he shall be released on bail on executing a bond for Rs.25,000/- (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. Petitioner shall appear before the Investigating Officer as and when directed.

4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.

amk

//True copy//

P.A to Judge