

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

Bail Appl..No. 7086 of 2015

CRIME NO. 777/2015 OF THAMARASSERY POLICE STATION, WAYANAD.
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PETITIONER/1ST ACCUSED:

**HUSSAIN S.M@ ALTAF, AGED 28 YEARS,
S/O.MUHAMMED S.K, SRAMBIKKAL (H),
PEREKKALLOOR P.O, WAYANAD - 673 579.**

**BY ADVS.SRI.R.ROHITH
SRI.P.S.PRASOBH**

RESPONDENT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI - 31.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. No.7086 of 2015

Dated this the 17th day of November 2015

ORDER

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

2. Petitioner is the 1st accused in Crime No.777 of 2015 of Thamarassery Police station registered for the offences punishable under Secs.332, 341 and 323 of the Indian Penal Code. Prosecution case in short is that, the petitioner along with other accused persons voluntarily caused hurt to a K.S.R.T.C driver while he was on duty. The incident was happened on 25.10.2015.

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

4. Learned counsel for the petitioner submitted that the K.S.R.T.C. bus driven by the defacto complainant dashed on the petitioner's vehicle causing damage. He questioned the driver in not stopping the vehicle after the incident.

Considering the nature of allegations , I am not of the view that custodial interrogation of the petitioner is

necessary. Therefore, pre arrest bail is granted to the petitioner with the following directions are issued.

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.25,000/- (Rupees twenty five 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 as and when directed to do so in writing.

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

Bail Appl. No.7086 of 2015 3

cancel the bail in accordance with law without referring
the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/17/11/2015

P.A. To Judge