

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. 7132 of 2015 ()

CRIME NO. 2034/2015 OF WEST POLICE STATION,THRISSUR DISTRICT

APPLICANT/2ND ACCUSED:

**ANOOP.P.A., AGED 31 YEARS,
S/O.ASHOKAN, PANIKAPARAMBIL HOUSE,
AYYANTHOLE P.O.,THRISSUR DISTRICT.**

**BY SRI.P.VIJAYA BHANU,SENIOR ADVOCATE
ADVS. SRI.V.C.SARATH
SRI.THOMAS J.ANAKKALLUNKAL**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

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:**

sts

A.HARIPRASAD, J.

B.A No.7132 of 2015

Dated this the 17th day of November, 2015.

ORDER

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

2. Petitioner is the second accused in Crime No.2034 of 2015 of Thrissur West Police Station registered for offences punishable under Sections 341, 323, 324 and 326 r/w Section 34 I.P.C.

3. Prosecution case, in short, is that on 06-10-2015 at about 22.00 hours, due to previous enmity, accused Nos.1 and 2 trespassed into the tea shop of the defacto complainant and the first accused restrained the defacto complainant. Second accused beat him using thermal cooker and the idly cooker causing nasal bone fracture.

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

5. Learned counsel for the petitioner submitted that there was some dispute between the quality of the food supplied by the defacto complainant to the petitioner and others. In the push and pull, the defacto complainant sustained injuries. 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.

//True copy//

P A to Judge

amk