

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

Bail Appl..No. 7168 of 2015

CRIME NO. 1476/2015 OF PUDUKKAD POLICE STATION, THRISSUR

PETITIONER(S)/ACCUSED NO.1:

**BENSON, AGED 29 YEARS,
S/O.VAREETH, ATHIYUNTHAN HOUSE, ERAVU P.O.,
ARIMBUR, THRISSUR DISTRICT.**

BY ADV. SRI.K.D.BABU(KOTTACKAL)

RESPONDENT(S)/STATE AND DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682031.**
- 2. THANKA, AGED 60 YEARS,
W/O.MADHAVAN, VILAKKAPADI HOUSE,
CHENGALLOOR VILLAGE,
DESOM, MUKUNDAPURAM TALUK, PIN-680312.**

**R1 BY PUBLIC PROSECUTOR SMT.R.REMA
R2 BY ADV. SRI.V.BINOY RAM**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A.No.7168 of 2015

Dated this the 19th day of November, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the 1st accused in Crime No.1476 of 2015 of Pudukkad Police Station registered for the offences punishable under Sections 452, 341, 506(ii) & 323 r/w Section 34 of the Indian Penal Code.

3. Prosecution case is that due to previous enmity on 30.09.2015 at about 09.30 p.m., the petitioner and other accused trespassed into the house of the defacto complainant and beat the son and husband of the defacto complainant.

4. Heard the learned counsel for the petitioner, learned counsel for the defacto complainant and the learned Public Prosecutor.

5. Learned counsel for the petitioner and the learned counsel for the defacto complainant submitted that they have settled the matter out of court. The only

non-bailable offence is under Section 452 IPC.

6. Considering the nature of the allegations, the following directions are issued:

- (a) Petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. Thereafter, he shall be released on bail on executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum to the satisfaction of the Investigating Officer.
- (b) The petitioner shall appear before the Investigating Officer as and when directed for the purpose of interrogation.
- (c) The petitioner shall co-operate with the investigation of the case.
- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner

interfere or meddle with the investigation.

- (f) The petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-

A.HARIPRASAD, JUDGE.

AS

/True copy/

P.A. to Judge