

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

Bail Appl..No. 7192 of 2015

**CRIME NO. 1594/2015 OF KILIMANOOR POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/2ND ACCUSED :

**JOSHY, AGED 29 YEARS,
S/O.UTHAMAN, JOLLY VILASOM, MALAKKAL P.O.,
PANAPPAMKUNNU, MALAKKAL DESOM, KILIMANOOR VILLAGE,
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.K.SIJU
SMT.S.SEETHA**

RESPONDENT(S) :

**STATE OF KERALA,
THROUGH THE S.I OF POLICE, KILIMANOOR POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A No.7192 of 2015

Dated this the 23rd 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.1529 of 2015 of Kilimanoor Police Station registered for offences punishable under Sections

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

4. Prosecution case, in short, is that on 29-10-2015 at about 4.40 p.m., while the defacto complainant was driving a KSRTC bus, the accused persons 3 in number obstructed the road by parking their car in such a way as to block the bus from proceeding and attacked the staff in the KSRTC bus.

4. Learned counsel for the petitioner submitted that the petitioner is only a passenger in the car. Some photographs have

been produced to show that the issue did not happen the way in which it was projected by the prosecution.

5. 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.

**A.HARIPRASAD,
JUDGE.**

amk