

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

Bail Appl..No. 7264 of 2015 ()

CRIME NO. 1449/2015 OF VIYYUR POLICE STATION, THRISSUR DISTRICT

PETITIONERS/ACCUSED :

- 1. SAGHEER R.H., AGED 46 YEARS
S/O.HASSAN, RAYAM MARAKAR VEETIL,
VADANAPILLY P.O., THRISSUR.**
- 2. HAMEED P.K., AGED 60 YEARS
S/O.KOCHAMMU, PANNIKAVEETIL HOUSE,
VADANAPILLY P.O., THRISSUR.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.U.HARIKRISHNA**

STATE OF KERALA/COMPLAINANT :

**THE STATE OF KERALA
REP. BY THE SUB INSPECTOR OF POLICE
VIYYUR POLICE STATION
THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM - 682 031**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.7264 of 2015

Dated this the 2nd day of December 2015

ORDER

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

2. Petitioners are accused nos.2 and 3 in Crime No.1449 of 2015 of Viyyur Police station registered for the offences punishable under Secs.294(b), 323, 506(i) and 354 read with Sec.34 of the Indian Penal Code. 1st accused is the son in law of the defacto complainant. Prosecution case is that, on 11.09.2015, the 1st accused for entertaining a doubt regarding the chastity of his wife took her to a private hospital for some tests. Consequent to an altercation, the accused persons assaulted the defacto complainant and outraged modesty of the daughter of the defacto complainant.

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

4. Materials in the case diary does not prima facie reveal the attraction of Sec.354 of the Indian Penal

Code. I do not find any reason to have a custodial interrogation of the petitioner in this case. Hence, pre arrest bail is granted to the petitioner with the following conditions.

1. The petitioners shall surrender before the investigating officer within a period of two weeks and submit themselves for interrogation.

2. In the event of arrest, the petitioners shall be released on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioners shall appear before the Investigating Officer for interrogation as and when directed by him in writing.

4. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/02/12/2015

P.A. To Judge