

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Bail Appl..No. 7273 of 2015 ()

CRIME NO. 637/2015 OF AMBALAVAYAL POLICE STATION, WAYANAD DISTRICT

PETITIONER/ACCUSED:

**ANEESH, AGED 32 YEARS, S/O. KUNCHIRAMAN,
EDAKKAL COLONY, AMBALAVAYAL VILLAGE,
SULTHAN BATHERY TALUK, WAYANAD DISTRICT.**

BY ADV. DR.GEORGE ABRAHAM

RESPONDENT(S)/COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. STATION HOUSE OFFICER,
AMBALAVAYAL POLICE STATION, AMBALAWAYAL P.O.,
WAYANAD DISTRICT-673 121**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A. HARIPRASAD, J.

Bail Appl. No.7273 of 2015

Dated this the 25th day of November 2015

O R D E R

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

2. Petitioner is the sole accused in Crime No.637 of 2015 of Ambalavayal Police station registered for the offences punishable under Secs.279 and 353 of the Indian Penal Code. Prosecution case is that on 26.10.2015, the petitioner drove a motorcycle in a dangerous manner and on seeing this, the patrolling Police officers directed him to stop the vehicle. When his identity was sought to be revealed, the petitioner refused to do so and attacked the Police officers.

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

4. Learned counsel for the petitioner relying on Annexure-A submitted that the Sub Inspector of Police brutally attacked him and he was taken to hospital.

5. Learned Public Prosecutor opposed the bail application contending that the petitioner is involved in

two other crimes registered for the offences under IPC and the other two under the Mines and Minerals (Development and Regulation) Act, 1957.

6. Learned counsel for the petitioner submitted that the offences under the M.M.D.R. Act are compoundable and he has already compounded.

Considering the nature of allegations, bail is granted to the petitioner with the following conditions.

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 by him.

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 cancel the bail in accordance with law without referring the matter to this Court. It is also directed that there shall not be any complaint of physical assault on the petitioner while he surrenders before the investigating officer.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/25/11/2015

P.A. To Judge