

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

Bail Appl..No. 7283 of 2015 ()

CRIME NO. 1319/2015 OF NENMARA POLICE STATION, PALAKKAD DISTRICT

APPLICANTS/ACCUSED NOS. 1 TO 3 :

- 1. PUSHPAKARAN, AGED 35 YEARS
S/O. CHAMU, THALIPADAM, NENMARA
PALAKKAD.**
- 2. PARAMAN, AGED 47 YEARS
S/O. CHAMI, THALIPADAM, NENMARA
PALAKKAD.**
- 3. MANU, AGED 29 YEARS
S/O. KUTTY VELAYUDHAN,
THALIPADAM, KARIMBARA
NENMARA, PALAKKAD.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.7283 of 2015

Dated this the 26th day of November 2015

ORDER

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

2. Petitioners are accused nos.1 to 3 in Crime No.1319 of 2015 of Nenmara Police station registered for the offences punishable under Secs.447, 341, 354 and 294(b) read with Sec.34 of the Indian Penal Code. Prosecution case in short is that on 06.11.2015 at about 7.00 a.m., the accused persons, loyalists of CPIM party, attacked the defacto complainant due to political rivalry. It is alleged that the 2nd accused pushed down the defacto complainant and outraged her modesty.

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

4. Learned Public Prosecutor submitted that the only allegation to constitute an offence under Sec.354 IPC is that the defacto complainant was pushed down.

Considering the nature of allegations, pre arrest bail is granted to the petitioners 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 deposit Rs.1,000/- (Rupees one thousand only) each before the learned Magistrate having jurisdiction within a period of one week from the date of execution of the bond.

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

5. 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/26/11/2015

P.A. To Judge