

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. 7322 of 2015

**CRIME NO. 988/2015 OF PALLICKAL POLICE STATION,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/ACCUSED :

**NAZIMUDEEN, S/O.ABDUL AZEEZ,
AGED 58 YEARS, K.K.HOUSE, MOONAMVILA,
NJARAYILKONAM DESOM, MADAVOOR VILLAGE,
THIRUVANANTHAPURAM DISTRICT.**

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

RESPONDENT(S) :

**STATE OF KERALA,
THROUGH THE S.I. OF POLICE, PALLICKAL POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

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

Msd.

A. HARIPRASAD, J.

Bail Appl. No.7322 of 2015

Dated this the 26th day of November 2015

O R D E R

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

2. Petitioner is the accused in Crime No.988 of 2015 of Pallickal Police station registered for the offences punishable under Secs.294(b), 324 and 354 of the Indian Penal Code. Earlier, offences under Secs.452, 353 and 308 IPC were also incorporated in this crime, but later, they were deleted.

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

4. Learned counsel for the petitioner submitted that the petitioner and the defacto complainant engaged in a scuffle. But, there was no intentional attempt to outrage the modesty of the defacto complainant.

Considering the nature of allegations, I am inclined to think that custodial interrogation of the petitioner is not necessary for effective investigation. Hence, pre arrest 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 in writing.

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.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /