

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

Bail Appl..No. 7370 of 2015 ()

CRIME NO.994/2015 OF MANGALAPURAM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.

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PETITIONER/ACCUSED:

NAZAR. A., S/O.ABDUL SATAR,
AGED 46 YEARS, NIJAZ MANZIL,
VALIYAVILLA P.O, THIRUVANANTHAPURAM.

BY ADV. SRI.LIJU. M.P.

RESPONDENT(S):

STATE OF KERALA,
REP. BY SUB INSPECTOR OF POLICE,
MANGALAPURAM POLICE STATION,
KOTTAYAM DIST. THIRUVANANTHAPURAM,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT.R. REMA.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

A.HARIPRASAD, J.

B.A. No. 7370 of 2015

Dated this the 3rd day of December, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.994 of 2015 of Mangalapuram Police Station. Presently, the case is registered for offences punishable under Sections 323, 354 and 451 I.P.C. The offence under Section 325 I.P.C although originally registered was deleted.

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

4. Prosecution case, in short, is that the petitioner is the brother-in-law of the defacto complainant. There was a dispute between the defacto complainant and her husband. Petitioner went for mediation. In the course of mediation, the incident occurred and allegedly the petitioner assaulted the defacto complainant.

5. Considering the nature of allegations and the materials in the case diary, I am of the view that custodial interrogation of the

petitioner is not necessary. Hence, following directions are made :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, the petitioner 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.

Sd/-
A.HARIPRASAD,
JUDGE.

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amk

P.A to Judge