

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

Bail Appl..No. 7412 of 2015 ()

**-----
CRIME NO. 596/2015 OF VITHURA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**

PETITIONER/2ND ACCUSED:

**SHAFEER, S/O. SALIM, AGED 33 YEARS,
SHAFEER MANZIL, MEMANA P.O.,
VITHURA, THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.LATHEESH SEBASTIAN.

RESPONDENTS/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. SUB INSPECTOR OF POLICE,
VITHURA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT-695 004.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 01-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.7412 of 2015

Dated this the 1st day of December, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the second accused in Crime No.596 of 2015 of Vithura Police Station registered alleging offences punishable under Sections 323 and 353 read with Section 34 of the Indian Penal Code. He seeks pre-arrest bail.

3. On 14.07.2015 at about 12.30 p.m., the tempo van driven by the first accused collided with a KSRTC bus and there was an altercation resulting in a clash.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that as per order on B.A.No.6387 of 2015 dated 16.10.2015 this Court has granted pre-arrest bail to the first accused.

Considering the facts and circumstances, the same stand can be adopted in this case also. Hence the following directions are issued:

i. In the event of arrest in Crime No.596 of 2015 of Vithura Police Station, petitioner shall be released on bail on executing a bond for

₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

ii. The sureties shall produce documents to establish their identity and solvency. The investigating officer shall not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioner shall appear before the investigating officer as and when directed in writing and co-operate with the investigation.

iv. He shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the officer concerned is free to arrest the petitioner as if no order is passed.

A. HARIPRASAD, JUDGE.

cks