

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

Bail Appl.No. 7354 of 2014

CRIME NO. 703/2014 OF PARIYARAM POLICE STATION, KANNUR
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PETITIONER(S)/ACCUSED:

**ABDUL RASHEED, AGED 37 YEARS,
S/O.HAMSA, PORUTHIYOTTU VALAPPIL HOUSE, ARIPPAMBRA,
THIRUVATTOOR P.O., PARIYARAM VILLAGE, KANNUR DISTRICT.**

**BY ADVS.SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI**

RESPONDENT(S)/COMPLAINANT:

**STATE,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA THROUGH S.H.O.
PARIYARAM MEDICAL COLLEGE POLICE STATION,
KANNUR DT.**

BY PUBLIC PROSECUTOR SRI.SURESH N.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
29-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

BABU MATHEW P. JOSEPH, J.

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B.A.No.7354 of 2014

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Dated this the 29th day of May, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent.

3. The petitioner is the accused in Crime No.703 of 2014 of Pariyaram Medical College Police Station. The offences alleged are under Section 379 of the Indian Penal Code and under Section 20 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act. Learned counsel for the petitioner submits that the petitioner is the owner of the vehicle involved in the alleged occurrence. He is totally innocent of the allegations raised in this case. He has no criminal antecedents. The investigation of the case is almost over. The custodial interrogation of the petitioner is not

required in this case. He further submits that the petitioner apprehends arrest by the police at any time.

4. Learned Public Prosecutor, on instructions, submits that the investigation of the case is almost over. He further submits that no criminal antecedents have been reported against the petitioner. On considering the facts and circumstances, the stage of the investigation and the fact that no criminal antecedents have been reported against the petitioner, this Court is of the view that the petitioner can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioner is granted anticipatory bail subject to the following conditions:

1) The petitioner shall surrender before the Investigating Officer on or before 06.06.2015. In the event of his arrest, he shall be released on bail on his executing a bond for ₹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 petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

3) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

4) The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

5) The petitioner shall not commit any similar offence while on bail.

6) The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This application is allowed as above.

Sd/-

**BABU MATHEW P. JOSEPH
JUDGE**

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P.A. TO JUDGE