

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

Bail Appl..No. 7425 of 2015 ()

CRIME NO. 296/2015 OF DEVIKULAM POLICE STATION, IDUKKI DISTRICT.

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PETITIONER(S):

**MANOJ, AGED 40 YEARS,
DEVIKULAM ESTATE, FACTORY DIVISION,
6 MURI LAYAM, KDH VILLAGE, DEVIKULAM - 685 613.**

BY ADV. SRI.BABU PAUL.

RESPONDENT/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE STATION HOUSE OFFICER,
DEVIKULAM POLICE STATION,
DEVIKULAM, PIN - 685 613.**

BY PUBLIC PROSECUTOR SMT.TY. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A. HARIPRASAD, J

B.A.No. 7425 of 2015

Dated this the 15th day of December, 2015

O R D E R

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

2. Petitioner is the first accused in Crime no. 296 of 2015 of the Deviculam Police Station, Devikulam, Idukki, for the offences punishable under Secs.323,294, 354 and 506 of the Indian Penal Code.

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

4. The learned counsel for the petitioner submitted that the petitioner is implicated in this case only on political vendetta. The petitioner is a supporter of "Penpila Orumai", a movement in Munnar. The defacto complainant and others are opposing this movement. In connection with the celebrations after victory in the local body election,

the incident had happened. There is no ingredient to constitute an offence under Section 354 of Indian Penal Code, which is the only non bailable offence in this case. After hearing the learned counsel for the petitioner and learned Public Prosecutor and on perusal of the case diary, I am of the view that no custodial interrogation is necessary in this case. Hence the following directions are issued :

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 their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum to the satisfaction of the investigating officer.

3. The petitioner shall appear before

the Investigating Officer as and when directed and co-operate with the investigation.

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

5. The petitioner shall not in any manner interfere or meddle with the investigation.

6. Petitioner shall not, during the period of this bail get involved in any offence.

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**