

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. 7497 of 2015

**CRIME NO. 1009/2015 OF AYIROOR POLICE STATION,
THIRUVANANTHAPURAM**

PETITIONER(S)/APPREHENDING ARREST:

**SHAJI, AGED 34 YEARS,
S/O SASIDHARAN, VADAKKETHATTU VEEDU, VENKULAM,
EDAVA, VARKALA, THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT(S)/STATE:

**STATE OF KERALA,
REPRESENTED BY THE SUB-INSPECTOR OF POLICE,
AYIROOR POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA

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

PJ

A.HARIPRASAD, J.

B.A.No.7497 of 2015

Dated this the 3rd day of December, 2015

O R D E R

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.1009 of 2015 of Ayiroor Police Station registered for offences punishable under Sections 143, 147, 148, 149, 323, 324, 452, 354, 294(b), 427 and 506(ii) read with Section 34 of the Indian Penal Code.

3. Prosecution case is that on 07.10.2015 at 10.30 p.m., the petitioner along with other accused trespassed into the residential building of the defacto complainant and caused extensive damage to the fittings. In that process, they committed outraging the modesty of a woman.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the first accused against whom overtacts have been attributed was released on pre-arrest bail by this Court as per order on B.A.No.6746 of 2015. Second accused also

secured pre-arrest bail as per order on B.A.No.6987 of 2015. This petitioner is having similarity with other accused persons. Hence, the following directions are issued:

- i. Petitioner shall be released on bail after interrogation on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.
- ii. 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/her from disclosing such facts to the court or to any Police Officer.
- iii. Petitioner shall make himself available for interrogation as and when required by the investigating officer.
- iv. He shall not influence or intimidate the

prosecution witnesses or attempt to tamper with the evidence for the prosecution.

v. He shall not commit any similar offence while on bail.

vi. He shall not leave India without the previous permission of the jurisdictional Magistrate.

In case of violation of any of the above conditions, the jurisdictional Magistrate shall be empowered to cancel the bail in accordance with law.

Sd/-

A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge