

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

Bail Appl..No. 7573 of 2015 ()

CRIME NO. 1645/2015 OF KADAKKAL POLICE STATION, KOLLAM DISTRICT

PETITIONER/ACCUSED :

**VIJAYAN
S/O.EDWIN, AGED 49 YEARS
V.S.BHAVAN, ALTHARAMOODU
KADAKKAL, KOLLAM.**

BY ADV. SRI.B.MOHAN LAL

RESPONDENT/COMPLAINANT :

**STATE
REPRESENTED BY THE STATION HOUSE OFFICER
KADAKKAL POLICE STATION, KOLLAM DISTRICT
THROUGH THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY SR. PUBLIC PROSECUTOR SRI. V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A No.7573 of 2015

Dated this the 7th day of December, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1645 of 2015 of Kadakkal Police Station registered for offences punishable under Sections 324, 354, 294(b) and 323 I.P.C.

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

4. Prosecution case, in short, is that on 14-11-2015 at about 10.30 a.m., the petitioner assaulted the defacto complainant and tore her nighty. He also abused the defacto complainant.

5. Learned counsel for the petitioner submitted that the petitioner is a coolie engaged by neighbour and co-brother of the defacto complainant. They are fighting civil litigations. The petitioner is falsely implicated in the case. Learned Public Prosecutor submitted that there is no indecent allegation against the petitioner. Considering the nature of allegations, I deem it fit to

issue following directions :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, he 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 on all Saturdays between 10.00 and 11.00 a.m until final report is filed
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.

//True copy//

P.A to Judge

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