

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

Bail Appl..No. 7584 of 2015

CRIME NO. 617/2015 OF PATTANAKKAD POLICE STATION , ALAPPUZHA DISTRICT

PETITIONER(S)/ACCUSED NO.2 :

**KRIPAL DAS, AGED 27 YEARS,
S/O.MURALEEDHARAN, KELAPPASSERRY HOUSE,
WARD NO.12, KADAKKARAPPALLY PANCHAYATH,
THYCKAL P.O., CHERTHALA.**

BY ADV. SRI.B.PRAMOD

RESPONDENT(S) :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A.No.7584 of 2015

Dated this the 10th day of December, 2015

ORDER

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

2. Petitioner is the 2nd accused in Crime No.617 of 2015 of Pattanakkad Police Station registered for the offences punishable under Sections 323, 324 and 326 r/w Section 34 of the Indian Penal Code.

3. Prosecution case is that on 29.06.2015 at about 10.30 p.m., the petitioner along with two other accused attacked the defacto complainant and her son. The petitioner used an iron rod and caused fracture of middle finger of left hand.

4. Heard both sides.

5. Leaned counsel for the petitioner submitted that there is counter case to this incident registered as Crime No.916 of 2015. In the same incident, the petitioner sustained injuries at the hands of the defacto complainant's son. Defacto complainant's son used an

iron rod to beat the petitioner, he sustained fracture and he was in hospital for about a week.

6. Considering the nature of the allegations and the fact that the iron rod has been recovered, I am inclined to grant anticipatory bail to the petitioner with the following conditions:

- (a) The petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. Thereafter, he shall be released on bail on executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum to the satisfaction of the Investigating Officer.
- (b) The petitioner shall appear before the Investigating Officer on all Saturdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (c) The petitioner shall co-operate with the

investigation of the case.

- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) The petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. To Judge