

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Bail Appl..No. 7621 of 2015 (C)

CRIME NO. 1638/2015 OF KILIMANOOR POLICE STATION ,
THIRUVANANDAPURAM

PETITIONER/ACCUSED:

MANU, AGED 28 YEARS
S/O.SAKUNDALA, CHARUVILA VEEDU, SWAMI MUKKU
PARANDAKUZHI, PAZHAYAKUNNUMMEL, KILIMANOOR
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENTS/STATE:

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1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.
 2. SUB INSPECTOR OF POLICE
KILIMANOOR POLICE STATION
THIRUVANANTHAPURAM DISTRICT-695004.

BY PUBLIC PROSECUTOR SMT.MADHUBEN.M.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
21-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B. A. No.7621 of 2015

Dated this the 21st day of December, 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 respondents. C.D. produced.

3. The petitioner is the accused in Crime No.1638 of 2015 of Kilimanoor Police Station. The offences alleged are under Sections 294(b), 324 and 308 of IPC. Learned counsel for the petitioner submits that the petitioner is innocent of the allegations raised against him. He has no criminal antecedents. The investigation of the case has progressed much. The police has registered a counter case as Crime No.1683 of 2015 of Kilimanoor Police Station against the de facto complainant and others alleging the offences under Sections 294(b), 447, 452, 323, 354, 143, 147 and 149 of IPC. 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 has opposed this petition. She admits the fact that the investigation of the case has progressed much. She further submits that no criminal antecedents have been reported against the petitioner. On considering the facts and circumstances, 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 31-12-2015. In the event of his arrest, he shall be released on bail on his executing a bond for ₹ 25,000/- (Rupees twentyfive 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 petition is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE

