

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

Bail Appl..No. 7679 of 2015 ()

CRIME NO. 1192/2015 OF MANNARKKAD POLICE STATION, PALAKKAD DISTRICT

PETITIONERS/ACCUSED :

- 1. KRISHNANKUTTY
S/O. NARAYANAN MOOTHAN, AGED 68 YEARS
PAYYUNDA HOUSE, MANNARKKAD, PALAKKAD DISTRICT**
- 2. PRASANTH
S/O. KRISHNANKUTTY, AGED 30 YEARS
PAYYUNDA HOUSE, MANNARKKAD
PALAKKAD DISTRICT**
- 3. PARUKUTTY
W/O. KRISHNANKUTTY, AGED 56 YEARS
PAYYUNDA HOUSE, MANNARKKAD
PALAKKAD DISTRICT**

BY ADV. SRI.BABU S. NAIR

RESPONDENTS/STATE & COMPLAINANT :

- 1. THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682 031**
- 2. THE SUB INSPECTOR OF POLCIE
MANNARKKAD POLICE STATION, PALAKKAD DISTRICT
PIN-678 582.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.No.7679 of 2015

Dated this the 14th day of December, 2015

ORDER

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

2. Petitioners are accused Nos.1 to 3 in Crime No.1192 of 2015 of the Mannarkkad Police Station registered for the offences punishable under Sections 341, 323, 324, 326 and 294(b) r/w Section 34 of the Indian Penal Code.

3. Prosecution case is that on 15.11.2015 at about 01.30 p.m., the accused persons attacked the defacto complainant on account of a dispute relating to a path way. The first petitioner used a stick to beat the defacto complainant, which caused a fracture on the little finger.

4. Heard both sides.

5. Learned Public Prosecutor opposed the bail application.

6. Considering the nature of the allegations and the fact that parties are neighbours fighting in connection

with a property dispute and also reckoning the simple nature of injuries, I am inclined to grant anticipatory bail 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