

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

Bail Appl..No. 7773 of 2015

CRIME NO. 1314/2015 OF KOTTAYAM EAST POLICE STATION, KOTTAYAM.
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PETITIONER/ACCUSED:

**BIJU K BABU, AGED 29 YEARS,
S/O.BABU, KOCHUPARAMBIL HOUSE,
VADAVATHUR P.O., KOTTAYAM DISTRICT.**

BY ADV. SRI.C.P.PEETHAMBARAN

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.7773 of 2015

Dated this the 15th day of December, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the sole accused in Crime No.1314 of 2015 of Kottayam East Police Station registered for offences punishable under Sections 452, 294(b), 324 and 323 I.P.C.

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

3. Prosecution case, in short, is that on 29-09-2015, the petitioner trespassed into the house of the defacto complainant and assaulted him by using iron rod and abused him.

4. Learned counsel for the petitioner submitted that the petitioner is falsely implicated in this case. In fact, on previous occasions, the defacto complainant and his family members attacked him and the petitioner had to be hospitalized. Further, there are civil litigations between the parties. Considering the nature of allegations,

following directions are issued :

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.
3. Petitioner shall appear before the Investigating Officer as and when directed.
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

amk