

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Bail Appl..No. 7809 of 2015

CRIME NO. 685/2015 OF NATTUKAL POLICE STATION , PALAKKAD DISTRICT

PETITIONER(S)/ACCUSED :

**SHAMSUDHEEN, AGED 45 YEARS,
S/O.MUHAMMED HAJI, MADAMPARA HOUSE, EDATHANATTUKARA,
VATTAMANNAPURAM, MANNARKKAD, PALAKKAD DISTRICT.**

BY ADV. SRI.BABU S. NAIR

RESPONDENT(S)/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 POLICE,
NATTUKAL POLICE STATION, PALAKKAD DISTRICT, PIN 678 583.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A.No.7809 of 2015

Dated this the 16th day of December, 2015

O R D E R

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

2. Petitioner is accused in Crime No.685 of 2015 of the Nattukal Police Station registered for the offences punishable under Sections 447, 341, 323, 354 and 294(b) of the Indian Penal Code.

3. Prosecution case is that on 22.11.2015 at about 09.15 p.m., the petitioner trespassed into the house of his son, who is staying along with the defacto complainant (his wife) and asked the defacto complainant whether her husband was there. It is also alleged that he attempted to inflict a stab injury on the husband of the defacto complainant with a tapping knife. Defacto complainant's husband ran away and the accused attacked the defacto complainant and throttled her thereafter, her dress was torn and abused her.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the dispute between father and son was on account of a political issue.

6. Considering the nature of the allegation, I am of the view that no custodial interrogation may be necessary in this case. Hence, the following directions are issued:

- (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 as and when directed for the purpose of interrogation.
- (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