

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. 7876 of 2015 ()

**CRIME NO. 1291/2015 OF MANGALAPURAM POLICE STATION,
(THIRUVANANTHAPURAM RURAL), THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/ACCUSED NO.S 1 & 2:-:

1. RENJU, W/O.RENALAL,AGED 34 YEARS,
CHANDRA BHAVAN, EDANJIMoola,
SASTHAVATTOM P.O., AZHOOR VILLAGE,
THIRUVANANTHAPURAM DISTRICT.

2. LAKSHMI, D/O.BINDHU, AGED 19 YEARS,
CHANDRA BHAVAN, EDANJIMoola,
SASTHAVATTOM P.O., AZHOOR VILLAGE,
THIRUVANANTHAPURAM DISTRICT.

**BY DR.K.P.SATHEESAN,SENIOR ADVOCATE
ADVS. SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.V.NAIR**

RESPONDENT(S)/COMPLAINANT:-:

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

2. STATION HOUSE OFFICER,
MANGALAPURAM POLICE STATION,
THIRUVANANTHAPURAM RURAL,
THIRUVANANTHAPURAM DISTRICT - 695 026.

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:**

A.HARIPRASAD, J.

B.A.No.7876 of 2015

Dated this the 10th day of December, 2015

ORDER

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

2. Petitioners are accused 1 and 2 in Crime No.1291 of 2015 of Mangalapuram Police Station registered for the offences punishable under Sections 354, 427, 149, 143, 147, 341, 323 and 324 of the Indian Penal Code and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. First petitioner is the daughter-in-law of the 3rd accused and 2nd petitioner is a relative of 1st petitioner and 3rd accused. First petitioner is a teacher in a School at Thiruvananthapuram. Second petitioner is a B.Tech student. Prosecution allegation is that on 26.01.2015 at about 06.50 p.m., the petitioners along with 3rd accused and other 12 persons entered into the compound of the defacto complainant and called her caste name. Thereafter, chilly power was sprayed on her face. They attacked her by catching hold of hair.

4. Heard both sides.

5. Learned counsel for the petitioners contended that this is a false case foisted on account of other considerations. The petitioners are totally innocent. There is no political reason for the alleged incident.

6. Considering the nature of the allegations and the involvement of the offence under Section Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, I am of the view that this is a fit case wherein the petitioners have to surrender before the magistrate and move for regular bail. However, considering the nature of the allegations, magistrate shall consider the matter on the date of surrender itself keeping in mind the principles in **Shanu v. State of Kerala** [2000(3) KLT 452]. Considering the fact that 1st petitioner is a teacher and the second petitioner is a B.Tech student, the magistrate shall pass appropriate orders.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. To Judge