

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

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

Bail Appl..No. 8041 of 2015

CRIME NO. 1140/2015 OF SULTHAN BATHERY POLICE STATION, WAYANAD

PETITIONER(S)/ACCUSED:

1. PADMANABHAN, AGED 48 YEARS,
S/O.VELLACHETTY, MOOTUKUNDU HOUSE, MUKKUTHIKUNNU P.O.,
NOOLPUZHA VILLAGE, SULTHAN BATHERY TALUK,
WAYANAD DISTRICT.
2. AJAMALAN, AGED 43 YEARS,
S/O.NARAYANAN, MAVERAYIL HOUSE, KOTTAKUNNU P.O.,
SULTHAN BATHERY VILLAGE & TALUK, WAYANAD DISTRICT.
3. P.R.JAYAPRAKASH, AGED 46 YEARS,
S/O.GOPAKUMAR, KALATHIL HOUSE,
MOOLANKAVU P.O., KUPPADI VILLAGE,
SULTHAN BATHERY TALUK, WAYANAD DISTRICT.

BY ADV. SRI.V.SHYAM

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
(REP. BY SUB INSPECTOR OF POLICE,
SULTHAN BATHERY POLICE STATION - CRIME NO.1140/2015)
REP. BY PUBLIC PROSECUTOR ,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

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

PJ

A.HARIPRASAD, J.

B.A No.8041 of 2015

Dated this the 21st day of December, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioners are the accused in Crime No.1140 of 2015 of Sulthan Bathery Police Station registered for offences punishable under Sections 452 and 324 r/w Section 34 I.P.C.

3. Prosecution case, in short, is that on 02-11-2015 at about 8.00 p.m., the petitioners trespassed into the house of the defacto complainant and assaulted the defacto complainant with sticks.

4. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

5. Considering the nature of allegations, following directions are made :

1. Petitioners shall surrender before the investigating officer within a period of two weeks from today and submit themselves for interrogation. In that event, they shall be released on bail on executing a bond for Rs.25,000/- each (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. The Investigating Officer need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. Petitioners shall appear before the Investigating Officer as and when directed.
4. Petitioners shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioners, the learned Magistrate having jurisdiction is free to cancel the bail.

**A.HARIPRASAD,
JUDGE.**

amk