

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

Bail Appl..No. 8046 of 2014 (A)

CRIME NO. 1524/2014 OF KADAKKAL POLICE STATION , KOLLAM

PETITIONER/ACCUSED:

MANZOOR, AGED 40 YEARS
S/O. MUHAMMED ISMAIL, AL-HAMDH MANZIL, KUMMIL VILLAGE
KOLLAM DISTRICT (THROUGH HIS WIFE SMT. NISHA)

BY ADVS.SRI.K.SIJU
SRI.A.MUHAMMED RAFFI

RESPONDENT:

STATE OF KERALA
THROUGH THE S.I OF POLICE, KADAKKAL POLICE STATION
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

R BY PUBLIC PROSECUTOR, SRI.SREEJITH V.S.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
12-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.KEMAL PASHA, J.

B.A.No.8046 of 2014 A

Dated this the 12th day of February 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1524/2014 of the Kadakkal police station, Kollam district registered for the offence punishable under Section 307 of the I.P.C.

3. The allegation against the petitioner is that on 15.10.2014 at 8.30 p.m., he inflicted a cut on the neck of the de-facto complainant with a chopper, thereby attempting to cause her death.

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

5. The learned counsel for the petitioner has pointed out that the petitioner is suffering from delusional disorder and he has been undergoing medical treatment for psychiatric disorder. Copies of the medical reports are also produced. The Investigating Officer has also reported that the petitioner is suffering from delusional disorder and that after causing injury to his wife, who is the de-facto complainant herein, the petitioner consumed tinner (wood protector) and attempted to commit suicide. The wife of the petitioner, who is the de-facto complainant herein, has also appeared before this Court. She submits that she was never attacked by him earlier and that she was attacked by the petitioner only on account of his psychiatric disorder for which, he is undergoing treatment at present. Considering the facts and circumstances of the case, and the aforesaid aspects pointed by the

learned counsel for the petitioner as well as the de-facto complainant in person, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

6. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

(i) The petitioner shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Thursdays and Mondays commencing from 19.2.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available

for interrogation as and when required by the investigating officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-
B.KEMAL PASHA,
JUDGE

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PA to Judge