

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

Bail Appl..No. 8080 of 2014 (D)

AGAINST THE ORDER IN CRMC 2627/2014 of SESSIONS COURT,TRIVANDRUM
DATED 28-10-2014
CRIME NO. 716/2014 OF ARUVIKKARA POLICE STATION , THIRUVANANDAPURAM

PETITIONER/ACCUSED:

SHAJAHAN, AGED 48 YEARS
S/O.PAREETHUKUNJU, NASREEN HOUSE, KAKKODE
ARUVIKKARA, THIRUVANANTHAPURAM.

BY ADVS. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
REPRESENTING SUB INSPECTOR OF POLICE, ARUVIKKARA.

BY PUBLIC PROSECUTOR SMT.M.MADHUBEN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
22-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B. A. No.8080 of 2014

Dated this the 22nd day of June, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C for anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent.

3. The petitioner is the accused in Crime No.716 of 2014 of Aruvikkara Police Station. The offences alleged are under Sections 341, 294(b), 353 and 506(ii) of IPC. Learned counsel for the petitioner submits that the petitioner is innocent of the allegations raised against him. He has no criminal antecedents. The investigation of the case is almost over. The custodial interrogation of the petitioner is not required in this case. The police has no case that the de facto complainant suffered any injury. He further submits that the petitioner apprehends arrest by the police at any

time.

4. Learned Public Prosecutor has opposed this petition. She submits, on instructions, that the investigation of the case has progressed much. On considering the facts and circumstances, stage of the investigation and the fact that the de facto complainant has not suffered any injury, this Court is of the view that the petitioner can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioner is granted anticipatory bail subject to the following conditions:

- 1)The petitioner shall surrender before the Investigating Officer on or before 29-06-2015. In the event of his arrest, he shall be released on bail on his executing a bond for ₹ 25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.
- 2)The petitioner shall not directly or indirectly make any inducement, threat or promise to any person

acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

3)The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

4)The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

5)The petitioner shall not commit any similar offence while on bail.

6)The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-

**BABU MATHEW P. JOSEPH
JUDGE**

kns/-

//TRUE COPY//

P.A. TO JUDGE

