

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

Bail Appl..No. 8744 of 2014 ()

CRIME NO. 989/2014 OF RAMAMANGALAM POLICE STATION, ERNAKULAM DIST.

PETITIONER/ACCUSED NO.1:

**VIPUL SIVARAMAN, AGED 32 YEARS,
S/O.SIVARAMAN, ALACKAPARAMBIL HOUSE,
SOUTH PIRAMADOM KARA, ONAKOOR VILLAGE,
NORTH PIRAMADOM P.O., MUVATTUPUZHA,
ERNAKULAM DISTRICT, PIN - 686 667.**

**BY ADVS.SRI.T.B.GAFOOR,
SRI.JOBIN PAUL,
SRI.P.G.MANU (MAMMALASSERY).**

RESPONDENT/STATE & COMPLAINANT:

**STATE OF KERALA,
THROUGH SUB INSPECTOR OF POLICE,
RAMAMANGALAM POLICE STATION,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, COCHIN - 682 031.**

BY PUBLIC PROSECUTOR SRI.SREEJITH. V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B.KEMAL PASHA, J.

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B.A. No. 8744 of 2014

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Dated this the 6th day of January, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.989 of 2014 of the Ramamangalam Police Station, registered for the offences punishable under Sections 323, 324 and 354 read with Section 34 IPC.

3. The allegation against the petitioner and the other accused is that on 19.11.2014 at 9 a.m., they pushed down the defacto complainant woman and tore the nighty worn by her, thereby outraging her modesty. It is alleged that the petitioner hit the husband of the defacto complainant with a stone. The other accused allegedly slapped and kicked the defacto complainant and her husband.

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

5. Except this petitioner, anticipatory bail has been granted to the other accused by the learned Additional Sessions Judge. The learned counsel for the petitioner has pointed out that actually the mother of the petitioner was brutally attacked by the husband of the defacto complainant, for which Crime No.988 of 2014 of the said Police Station is registered for the offences under Sections 447, 506(ii), 323, 324 and 354 IPC. The investigation of this case is practically over. The custodial interrogation of the petitioner is not required in this case. Considering the facts and circumstances of the case, I do not find any reason to deny anticipatory bail to the present petitioner also, especially when anticipatory bail has been granted to other accused.

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.25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each 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 09.00 a.m. and 11.00 a.m. on all Tuesdays and Fridays commencing from 13.01.2015 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

DSV/6/1/15

//True Copy//

P.A.to Judge