

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

Bail Appl..No.9047 of 2014

CRIME NO.3151/2014 OF MUVATTUPUZHA POLICE STATION,ERNAKULAM.

PETITIONER/ACCUSED:

**ALEX JOSEPH,AGED 50 YEARS,
NJAVARAKKATTU HOUSE,ARAKUZHA,
MUVATTUPUZHA,ERNAKULAM DISTRICT**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN**

RESPONDENTS/STATE/COMPLAINANT:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM-682 031
(CRIME NO 3151/2014 OF MUVATTUPUZHA POLICE STATION,
ERNAKULAM DISTRICT**
- 2. STATION HOUSE OFFICER,
MUVATTUPUZHA POLICE STATION,
ERNAKULAM DISTRICT-686 661,
(CRIME NO 3151/2014 OF MUVATTUPUZHA POLICE STATION,
ERNAKULAM DISTRICT).**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K. ABRAHAM MATHEW, J.

B.A. No.9047 of 2014

Dated this the 12th day of January, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

The petitioner is the accused in crime No.3151/2014 of Muvattupuzha Police Station, which has been registered for the offences under Sections 451 and 354 of IPC.

2. The allegation is that he trespassed into the house of his neighbour at about 1 p.m. and outraged her modesty by catching hold of her hand.

3. The learned counsel for the petitioner submits that the allegation is false and it has been raised for the sole reason that there has been a civil dispute between the parties over a tree standing on the boundary.

4. Heard.

5. The petitioner is a 50 year old man. There is a boundary dispute between them. The incident allegedly happened at noon. It appears that his detention is not necessary for effective investigation.

In the result, this application is allowed.

- 1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the police in connection with this case.
- 2) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.
- 3) He shall not intimidate or attempt to influence the witnesses; nor shall he tamper with the evidence.
- 4) He shall not commit any offence while he is on bail.

This order is not applicable if the petitioner chooses to surrender before the Magistrate concerned and in such case the learned Magistrate may take appropriate action in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE
//True copy//
P.A. TO JUDGE

shg/