

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

Bail Appl..No. 9064 of 2014

CRIME NO. 1646/2014 OF THIRUVALLA POLICE STATION , PATHANAMTHITTA

PETITIONERS/3RD & 4TH ACCUSED:

1. PRADEEP, AGED 28 YEARS,
THYPPADAVIL HOUSE, THENGELI MURI, KUTTOOR VILLAGE,
THIRUVALLA TALUK, PATHANAMTHITTA DISTRICT.
2. PRADEESH, AGED 26 YEARS, S/O.MANI,
THYPPADAVIL HOUSE, THENGELI MURI, KUTTOOR VILLAGE,
THIRUVALLA TALUK, PATHANAMTHITTA DISTRICT.

**BY ADVS.SRI.K.S.SIVA KUMAR
SRI.C.B.SREEKUMAR**

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNNAKULAM-682031.
2. SUB INSPECTOR OF POLICE,
THIRUVALLA POLICE STATION-681006.

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.9064 of 2014

Dated this the 28th day of July 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.1646 of 2014 of Thiruvalla Police station registered for the offences under Secs.323, 354, 451 and 506(i) read with Sec.34 of the Indian Penal Code. The prosecution case is that they trespassed into the property of the victim, threatened and assaulted her and outraged her modesty.

3. Heard both sides.

4. It appears that this is essentially an assault case.

Having regard to this fact, I am inclined to grant the prayer of the petitioners.

In the result, the bail application is allowed.

1. The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like

sum if they are arrested by the Police in connection with this case.

2) The petitioners shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every 1st and 3rd Saturdays for two months or till the final report is filed, whichever is earlier.

3) The petitioners shall surrender their passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

4) The petitioners shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioners shall not enter the house in which the first informant is residing.

6) The petitioners shall not contact or communicate with the first informant, except with the permission of the trial court

concerned.

7) The petitioners shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.

8) The petitioners shall not intimidate or attempt to influence the witnesses.

9) The petitioners shall co-operate with investigation of the case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

If the petitioners surrender before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge