

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

Bail Appl..No.9159 of 2014

**CRIME NO.139/2014 OF MARAYAMUTTOM POLICE STATION,
NEYYATTINKARA,THIRUVANANTHAPURAM DISTRICT.**

...

PETITIONER/2ND ACCUSED:

**YESUDASAN,S/O.JOSEPH,AGED 45 YEARS,
KURUVAD ANEESH BHAVAN,KORANAMCODU,
KOTTACKAL P.O.,THIRUVANANTHAPURAM.**

**BY ADVS.SRI.B.KRISHNA MANI
SRI.D.KESAVAN NAIR
SMT.N.V.SANDHYA**

RESPONDENTS/COMPLAINANT/STATE:

- 1. THE SUB INSPECTOR OF POLICE,
MARAYAMUTTOM POLICE STATION,
NEYYATTINKARA,
THIRUVANANTHAPURAM DISTRICT-695124.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B.KEMAL PASHA, J.

B.A.No.9159 of 2014

Dated this the 16th day of January 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.139/2014 of Marayamuttom Police Station, Thiruvananthapuram district registered for the offences punishable under Sections 294(b), 323, 447, 354 and 427 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner and the other accused is that on 18.4.2014 at 6 p.m., they committed trespass into the court yard of the house of the de-facto complainant woman and beat her. When her daughter intervened for her rescue, she was also beaten up.

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

5. It has come out that the first accused has already been arrested, detained and subsequently, enlarged on bail. No criminal antecedents have been reported against the petitioner. The contents of the C.D reveals that the investigation of this case is practically over. Custodial interrogation of the petitioner is not required for the continued investigation of this case, as nothing has to be recovered from the petitioner. Considering all the above, 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.25,000/- (Rupees twenty five 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 Fridays and Tuesdays, commencing from 23.01.2015 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

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PA to Judge