

Vidyan Vs. State of Kerala

Vidyan Vs. State of Kerala

SooperKanoon Citation : sooperkanoon.com/1129686

Court : Kerala

Decided On : Feb-24-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Vidyan

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN MONDAY, THE 24TH DAY OF FEBRUARY 2014 5TH PHALGUNA, 1935 Bail Appl..No. 1384 of 2014 (C) ----- CRIME NO.280/2014 OF VALAPAD POLICE STATION, THRISSUR DISTRICT ACCUSED(S)/APPLICANT/ACCUSED NO.2: ----- VIDYAN AGED 40 YEARS S/O PANANGATTU VEETIL SHANMUGHAN CHENTHRAPPINNI VILLAGE, DESOM, KODUNGALLUR TALUK THRISSUR DISTRICT. BY ADVS.SRI.P.VIJAYA BHANU (SR.) SRI.THOMAS J.ANAKKALLUNKAL COMPLAINANT(S)/RESPONDENT/COMPLAINANT: ----- STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM-682 031. BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24-02-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: JJJ N.K. BALAKRISHNAN, J.

----- Dated this the 24th day of February, 2014

ORDER

The petitioner is the 2nd accused in Crime No.280/2014 of Valapad Police Station, Thrissur District. Offences alleged are under sections 341, 323, 452 and 354 r/w 34 of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. It is alleged that on 03.02.2014 at 5.30 pm, the accused trespassed into the house of the complainant and she was caught hold of by the 1st accused, who is the nephew of the complainant's husband and the accused slapped on the right side of her face and thereafter the 1st accused kicked on her abdomen. The complainant is the wife of the petitioner's cousin. The husband of the complainant is in Gulf. Some allegations were made against the complainant and that is why the incident occurred, it is stated. B.A. No. 1384/2014 (C) -2- 3. Considering all the aspects the following directions are issued: The petitioner shall surrender before the Investigating Officer within ten days from today. After interrogation the accused shall be produced before the learned Magistrate. When applied for bail by the accused, the learned Magistrate will, considering the nature of the case, grant bail to the petitioner but on the following conditions: a. The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate. If in case the Magistrate has any doubt about the genuineness or correctness of the tax receipts produced by the sureties, the learned Magistrate can insist for production of the attested photo copies of the original title deeds of the sureties. B.A. No. 1384/2014 (C) -3- b. The petitioner shall make himself available for interrogation by the Investigating Officer and shall appear before the Investigating Officer on all Mondays between 9.30 AM to 11.30 AM until further orders. c. The petitioner shall surrender his original passport before the learned jurisdictional Magistrate. If he is not having any valid passport, he should file an affidavit regarding the same before the Magistrate. d. The petitioner will also file an affidavit that he will abide by all the conditions as mentioned above and that he will not commit any offence similar to the offence involved in this case and will 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 from disclosing such facts to the court or to any police officer or tamper with the B.A. No. 1384/2014 (C) -4- evidence. e. The petitioner shall not leave the State of Kerala without the prior permission of the learned Magistrate. f. The learned Magistrate will also ensure the identity of the sureties by insisting production of electoral photo identity cards/Driving licence etc. Sd/- N.K. BALAKRISHNAN, JUDGE //True Copy// P.A. to Judge jjj

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com