

Abhijith Vs. State of Kerala

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Court : Kerala

Decided On : Feb-24-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Abhijith

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. 1276 of 2014 (D) ----- AGAINST THE

ORDER

IN CRMC1872014 of SESSIONS COURT, MANJERI CRIME NO. 67/2014 OF THENHIPALAM POLICE STATION , MALAPPURAM ACCUSED(S)/PETITIONERS/ACCUSED 1 AND 3:-

----- 1. ABHIJITH, AGED 21 YEARS S/O.KUHUKUTTY KAROLIL KIZHAKKE PUTHIYA PARAMBIL HOUSE PUKAYOOR KUNNATH, A.R.NAGAR P.O., MALAPPURAM DISTRICT.

2. KUNHUKUTTY, AGED 63 YEARS S/O.KESAVAN, KAROLIL KIZHAKKE PUTHIYA PARAMBIL HOUSE PUKAYOOR KUNNATH, A.R.NAGAR P.O., MALAPPURAM DISTRICT. BY ADV. SRI.K.K.MOHAMED RAVUF

COMPLAINANT(S)/RESPONDENT/COMPLAINANT:-:

----- STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA,
ERNAKULAM. 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.

----- B.A. No. 1276 of 2014 (D)
----- Dated this the 24th day of February, 2014

ORDER

Petitioners are accused in Crime No.67/2014 of Thenhippalam Police Station, Malappuram District. Offences alleged are under sections 143, 147, 447, 341, 323, 294(b), 354 and 427 r/w section 149 of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. It is alleged that on 22.01.2014, petitioners trespassed into the courtyard of the house of the complainant and attacked her and voluntarily caused hurt to her by beating. It is also stated that the accused tore the blouse and thereby outraged the modesty of the complainant. It is also stated that the window glass was also destroyed by the petitioners.

3. Considering all the aspects the following directions are issued: B.A. No.1276/2014 -2- The petitioners 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 petitioners but on the following conditions: a. The petitioners shall execute a bond for Rs.10,000/- (Rupees Ten thousand only) each 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. The petitioners shall make

themselves available for interrogation by the Investigating Officer and shall appear B.A. No.1276/2014 -3- before the Investigating Officer on all Mondays between 9.30 AM to 11.30 AM until further orders. c. The petitioners shall surrender their original passports before the learned jurisdictional Magistrate. If they are not having any valid passport, they should file an affidavit regarding the same before the Magistrate. d. The petitioners will also file an affidavit that they will abide by all the conditions as mentioned above and that they 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 evidence. B.A. No.1276/2014 -4- e. The petitioners shall not leave India 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

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