

Ramadas Vs. State of Kerala

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Court : Kerala

Decided On : Mar-26-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Ramadas

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN WEDNESDAY, THE 26TH DAY OF MARCH 2014 5TH CHAITHRA, 1936 Bail Appl..No. 1969 of 2014 () ----- IN CRIME NO. 218/2014 OF SHORNUR POLICE STATION , PALAKKAD ACCUSED(S): ----- 1. RAMADAS, AGED 35 YEARS, S/O.NARAYANANKUTTY, VAZHATHODI PADINJARETHIL VEED P.O KOONATHARA, KAVALAPPARA, OTTAPALAM TALUK PALAKKAD DISTRICT.

2. SUKUMARAN, AGED 48 YEARS, S/O.LATE GOPALAN, PURAMTHODI KARUMATHIL P.O. KOONATHARA, KAVALAPPARA, OTTAPALAM TALUK PALAKKAD DISTRICT.

3. VENUGOPALAN, AGED 62 YEARS, S/O.VELU MOOPER, VAZHATHODI PARAMBIL VEED, P.O KOONATHARA, KAVALAPPARA, OTTAPALAM TALUK PALAKKAD DISTRICT. BY ADV. SRI.P.JAYARAM COMPLAINANT(S):

----- STATE OF KERALA REPRESENTED BY THE PUBLIC
PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682 031. BY
PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN THIS BAIL
APPLICATION HAVING COME UP FOR ADMISSION ON 26/03-2014, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING: ds N.K.
BALAKRISHNAN, J.

----- B.A. No. 1969 of 2014 (A)
----- Dated this the 26th day of March, 2014

ORDER

Petitioners are accused nos. 2, 3 and 4 in Crime No.218/2014 of Shornur Police Station, Palakkad District. Offences alleged are under sections 323, 324, 341, 354B, 427, 452 and 506(ii) r/w 34 of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. The allegation is that the accused trespassed into the house of the complainant with intent to attack her son Jayaraghavan. Against that Jayaraghavan a complaint was given by the daughter of Sukumaran stating that Jayaraghavan was causing annoyance to the girl, since she declined the request of Jayaraghavan to marry her. Crime was registered against Jayaraghavan alleging that he tried to attack that girl, in respect of which Crime No.64/2014 was registered alleging offences under sections 452, 341, B.A. No. 1969/2014 (A) -2- 354 and 506 (ii) of IPC. The accused therein was granted bail, it is stated. This case has been foisted only as a counter blast, the learned counsel submits. Here, the allegation is that the accused persons had threatened Jayaraghavan stating that his penis will be cut if he causes trouble or annoyance to the girl, who is the defacto complainant in the earlier case.

3. Considering all the aspects the following directions are issued: 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.20,000/- (Rupees Twenty thousand only) each with two solvent B.A. No. 1969/2014 (A) -3- 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 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 B.A. No. 1969/2014 (A) -4- 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. 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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