

Rajendran Vs. State of Kerala

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Court : Kerala

Decided On : May-29-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Rajendran

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN THURSDAY, THE 29^H DAY OF MAY 2014 8TH JYAISHTA, 1936 Bail Appl..No. 3651 of 2014 (B) ----- CRIME NO. 147/2014 OF VATTIYOORKAVU POLICE STATION , THIRUVANANTHAPURAM PETITIONER(S)/A3: ----- RAJENDRAN AGED 53 YEARS S/O.BHASKARAN, T.C.32/1811, V.K.P.NAGAR KANJIRAMPARA, VATTIYOORKAVU, THIRUVANANTHAPURAM. BY ADV. SRI.SHAJIN S.HAMEED RESPONDENT(S)/STATE: ----- STATE OF KERALA REPRESENTED BY THE SUB-INSPECTOR OF POLICE VATTIYOORKAVU POLICE STATION REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29-05-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: JJJ N.K. BALAKRISHNAN, J.

----- Dated this the 29th day of May, 2014

ORDER

The petitioner is the 3rd accused in Crime No.147/2014 of Vattiyoorkavu Police Station, Thiruvananthapuram District. Offences alleged are under sections 447, 294(b), 324, 354 and 308 r/w 34 of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. It is alleged that on 04.02.2014 at 10.30 pm, the accused persons trespassed into the courtyard of the house of the complainant and abused her using obscene words. Others also reached there. Accused Rajesh hit the left forehead of the complainant and caused injury. He caused injuries on other parts of the body also.

3. The learned counsel for the petitioner submits that, in fact, the defacto complainant attacked the other B.A. No. 3651/2014 -2- group in respect of which crime no.149/2014 was registered alleging offences under sections 294(b), 452, 324 and 506 (ii) of IPC. This only a counter blast to the other crime, the learned counsel for the petitioner submits.

4. 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.25,000/- (Rupees Twenty Five 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 B.A. No. 3651/2014 -3- 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 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 B.A. No. 3651/2014 -4- 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 petitioner 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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