

Venugopal Vs. State of Kerala

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Court : Kerala

Decided On : May-30-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Venugopal

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN FRIDAY, THE 30TH DAY OF MAY 2014 9TH JYAISHTA, 1936 Bail Appl..No. 3686 of 2014 ()
----- CRIME NO. 412/2014 OF BINANIPURAM POLICE STATION , ERNAKULAM ----- PETITIONER/ACCUSED: ----- VENUGOPAL, AGED 60 YEARS S/O.DAMODARAN, COMPANYPARAMBIL, KODUVAZHANGA NEERCODE.P.O., ALUVA. BY ADVS.SRI.S.RAJEEV SRI.K.K.DHEERENDRAKRISHNAN
RESPONDENT/STATE: ----- 1. STATE OF KERALA, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-682031.(CRIME NO.412/2014 OF BINANIPURAM POLICE STATION ERNAKULAM DISTRICT) 2. STATION HOUSE OFFICER, BINANIPURAM POLICE STATION ERNAKULAM DISTRICT-683502 .(CRIME NO.412/2014 OF BINANIPURAM POLICE STATION ERNAKULAM DISTRICT) BY PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-05-2014, THE COURT ON THE SAME DAY

PASSED THE FOLLOWING: BP N.K. BALAKRISHNAN, J.

----- B.A. No. 3686 of 2014
----- Dated this the 30th day of May, 2014

ORDER

The petitioner is the accused in Crime No.412/2014 of Binanipuram Police Station, Ernakulam District. Offences alleged are under sections 323, 324, 294(b) and 354 of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. The defacto complainant is the wife of the petitioner's brother. There was some dispute regarding drawing of cable TV line. The allegation is that the accused pulled the hair of the defacto complainant and thereby outraged her modesty.

3. The allegations are not true, the learned counsel for the petitioner submits.

4. Considering all the aspects the following directions are issued: B.A. No. 3686/2014 -2- 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 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 . B.A. No. 3686/2014 -3- 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 evidence. e. The petitioner shall not leave India without the prior permission of the learned Magistrate. B.A. No. 3686/2014 -4- 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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