

**Haven, vs State of Kerala,**

**Haven, vs State of Kerala,**

**SooperKanoon Citation : [sooperkanoon.com/1317297](https://sooperkanoon.com/1317297)**

**Court : Kerala**

**Decided On : Jan-22-2024**

**Judge : Honourable Mr.Justice C.S.Dias**

**Appeal No. : Bail Appl./10973/2023**

**Appellant : HAVEN,**

**Respondent : State of Kerala,**

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS MONDAY, THE 22ND DAY OF JANUARY 2024 / 2ND MAGHA, 1945 CRIME NO.1206/2023 OF ANCHALUMMOODU POLICE STATION, KOLLAM PETITIONER/ACCUSED: HAVEN, AGED 25 YEARS S/O PATRICK,LEELA DALE,MANALIKKADA, THRIKKARUVA VILLAGE,KANJAVAVELI P O, KOLLAM DISTRICT, PIN - 691602 BY ADVS. V.I.RAHUL SHIFA LATHEEF DERIN C. JOY RESPONDENTS/STATE: 1 STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, PIN - 682031 2 STATION HOUSE OFFICER, ANCHALUMMOODU POLICE STATION, KOLLAM DISTRICT, PIN - 691601 OTHER PRESENT: SR PP SMT

SEETHA S THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22.01.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## **ORDER**

The application is filed under Section 438 of the Code of Criminal Procedure, 1973 (Code, for short), for an order of pre- arrest bail.

2. The petitioner is the 4th accused in a Crime No 1206 of

2023 of Anchalumood Police Station, Kollam registered against the accused for allegedly committing the offences punishable under Sections 323, 324, 341, 308, 294(B) & 34 of the Indian Penal Code, 1860, (IPC, for short).

3. When the bail application came up for consideration on

10.01.2024, this Court directed the petitioner to surrender before the investigating officer within seven days from the date of order and subject himself to interrogation.

4. Heard; Sri.V.I.Rahul, the learned counsel appearing for the petitioner and Smt Seetha S, the learned Senior Public Prosecutor appearing for the respondent.

5. The learned Public Prosecutor, Smt Seetha S., submitted that pursuant to the order dated 10.01.2024, the petitioner submitted himself to interrogation on 12.01.2024. The petitioners further presence is not required. Hence, the interim order can be made absolute, subject to additional conditions. The said submission is recorded. Resultantly, the bail application is disposed of by making the interim order dated 12.01.2024 absolute, subject to the following conditions:

(i) The petitioner shall co-operate with the investigation and make himself available for interrogation and for the purpose of investigation as and when the Investigating Officer directs;

(ii) The petitioner shall not intimidate witnesses or interfere with the investigation in any manner;

(iii) The petitioner shall not get involved in any other offence while on bail.

(iv) The petitioner shall not leave India without the permission of the jurisdictional Court;

(v) In case of violation of any of the conditions above, the jurisdictional Court shall be empowered to consider the application for cancellation of bail, if any filed, and pass orders on the same, in accordance with law.

(vi) Applications for deletion/modification of the bail conditions shall also be filed before the court below. Sd/- C.S.DIAS, JUDGE AS

**SooperKanoon - India's Premier Online Legal Search - [sooperkanoon.com](http://sooperkanoon.com)**