

X vs State of Kerala

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Court : Kerala

Decided On : May-27-2021

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : Bail Appl./2624/2021

Appellant : X

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR THURSDAY, THE 27TH DAY OF MAY 2021 / 6TH JYAISHTA, 1943 BAIL APPL. NO. 2624 OF 2021 Crime No.137 of 2021 of Parippally Police Station PETITIONER/ACCUSED: X AGED 47 YEARS X BY ADV C.R.SIVAKUMAR RESPONDENT/S: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA ERNAKULAM, PIN - 682031 2 THE STATION HOUSE OFFICER PARIPPALLY POLICE STATION KOLLAM BY ADV.SMT.SREEJA V., PUBLIC PROSECUTOR THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27.05.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -2-

ORDER

The petitioner is the accused in Crime No.137 of 2021 of Parippally Police Station registered for the offence punishable under Section 75 of the Juvenile Justice (Care and Protection of Children) Act.

2. The petitioner has filed this application under Section 438 Cr.P.C.

3. Heard.

4. The learned Public Prosecutor has no serious objection in allowing this application.

5. The learned Public Prosecutor has submitted that

the petitioner is not having any criminal antecedent. The petitioner is the father of the minor child aged 17 years. If the petitioner is sent to jail, it would likely to affect adversely the chance for reconciliation, as the dispute involved in this case is a family dispute. Considering the -3-

facts and circumstances of the case, I am inclined to grant

pre-arrest bail to the petitioner. In the result, this application stands allowed and the the petitioner shall be released on bail in the event of his arrest in Crime No.137/2021 of Parippally police station, on condition of the petitioner executing a bond for Rs.35,000/- (Rupees Thirty Five Thousand only) with two solvent sureties, each for the like sum to the satisfaction of the Station House Officer concerned, before whom the petitioner shall surrender within twenty days, if not arrested in the meantime and subject to the following further conditions:

1. The petitioner shall report before the Investigating Officer as and when required by the Investigating Officer for interrogation.

2. The petitioner shall not intimidate or influence the witnesses or in any way tamper with the investigation. -4-

3. The petitioner shall not get involved in any other offence during the pendency of this case. Sd/- B.SUDHEENDRA KUMAR JUDGE nkr/27.05.2021

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