

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 27TH DAY OF DECEMBER 2013/6TH POUSHA, 1935

Bail Appl..No. 8469 of 2013 ()

(CRIME NO. 1018/2013 OF KASARAGOD POLICE STATION , KASARGOD DISTRICT)

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PETITIONERS/ACCUSED :

1. **SHRINIVAS B M, AGED 55 YEARS,
S/O.NARAYANA, CHIEF COMMERCIAL CLERK,
SOUTHERN RAILWAY (PALAKKAD DIVISION), KASARAGOD.**
2. **ARUL RAJ, AGED 36 YEARS,
S/O.R.MANICKAM, TICKET EXAMINER,
SOUTHERN RAILWAY, (PALAKKAD DIVISION),
KASARAGOD.**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENT/COMPLAINANT/STATE :

1. **STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
2. **THE STATION HOUSE OFFICER,
(CRIME NO.1018 OF 2013 OF KASARAGOD POLICE STATION),
KASARAGOD DISTRICT-671 121.**

BY SRI.RENJITH, PUBLIC PROSECUTOR

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
27-12-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

AMV

BABU MATHEW P. JOSEPH, J.

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B.A. No. 8469 of 2013

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Dated this the 27th day of December, 2013

ORDER

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and the learned Public Prosecutor appearing for the respondents. CD produced.

3. The petitioners are the accused 1 and 2 in Crime No.1018 of 2013 of Kasaragod Police Station. The offences alleged are under Sections 341, 323, 294(b) and 353 r/w Section 34 of IPC. The learned counsel for the petitioners submits that the petitioners are innocent of the allegations raised against them. They have no criminal antecedents. The investigation of the case is almost over. He further submits that the petitioners apprehend arrest by the police at any time.

4. The Case Diary shows that the investigation of the case has progressed much. The learned Public Prosecutor submits that no criminal antecedents have

been reported against the petitioners. On considering the facts and circumstances, stage of the investigation and the fact that no criminal antecedents have been reported against the petitioners, this Court is satisfied that the petitioners can be granted anticipatory bail imposing appropriate conditions. Therefore, the petitioners are granted anticipatory bail subject to the following conditions:

- 1) The petitioners shall surrender before the Investigating Officer on or before 07.01.2014. In the event of their arrest, they shall be released on bail on their executing bonds for Rs.15,000/- (Rupees Fifteen Thousand only) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
- 2) The petitioners shall 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 or her

from disclosing such facts to the Court or to any Police Officer.

3) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

4) The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

5) The petitioners shall not commit any similar offences while on bail.

6) The petitioners shall not leave India without the previous permission of the concerned Magistrate's Court.

This application is allowed as above.

AMV/27/12/

sd/-
(BABU MATHEW P. JOSEPH, JUDGE)

/TRUE COPY/

P.A.TO JUDGE