

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

WEDNESDAY, THE 31ST DAY OF MAY 2017/10TH JYAISHTA, 1939

Bail Appl..No. 3086 of 2017

CRIME NO. 754/2017 OF MATHILAKOM POLICE STATION, THRISSUR

PETITIONER/ACCUSED:

JISHNU,
AGED 18 YEARS, S/O. RAGHU,
VETTUKKATIL HOUSE,
VAZHIYAMBALAM, KAIPAMANGALAM,
THRISSUR DISTRICT.

BY ADVS.SRI.SAIJO HASSAN
SRI.BENOJ C AUGUSTIN
SRI.VISHNU BHUVANENDRAN
SRI.U.M.HASSAN

RESPONDENT/STATE:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI S.SAJJU

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 31-05-2017, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.V.

SUNIL THOMAS, J.

Bail Application No.3086 of 2017

Dated this the 31st day of May, 2017

O R D E R

The petitioner herein, as the sole accused, stands arrayed in Crime No.754 of 2017 of Mathilakam Police Station for offences punishable under Sections 294(b), 447, 323 and 354 of Indian Penal Code.

2. It is alleged by the prosecution that on 22.04.2017 at 7.30 p.m, the petitioner herein trespassed into the house of the de facto complainant and attacked the husband. When the wife and her mother intervened, they were pushed aside. There is a further allegation that the petitioner herein assaulted the wife and the mother with the intention of outraging their modesty.

3. Even assuming that the entire facts are proved, the question whether the petitioner herein had committed the act of assault or whether he had an intention to outrage the modesty of the victims is a matter to be evaluated by the trial court at the time of final evidence. Having considered this, a custodial

interrogation of the petitioner is not essential especially considering the fact that he is not involved in any other crime and he is of rather young age. Hence I am inclined to allow the bail application on the following conditions:

- (i) Petitioner shall appear before the Investigating Officer within ten days from today and shall undergo interrogation. Thereafter, if he is proposed to be arrested, he shall be released on bail on he executing bond for a sum of Rs.40,000/- (Rupees forty thousand only) with two sureties for the like sum each.
- (ii) He shall appear before the Investigating Officer on all Tuesdays between 9 a.m and 10 a.m for a period of one month from the date of execution of bond.
- (iii) He shall not get involved in any other identical offence and shall not threaten, coerce or intimidate the de facto complainant or her witnesses.

Sd/-

**SUNIL THOMAS
JUDGE**

smp