

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 28TH DAY OF SEPTEMBER 2017/6TH ASWINA, 1939

Bail Appl..No. 6476 of 2017 ()

CRIME NO. 991/2017 OF PALODE POLICE STATION, THIRUVANANTHAPURAM DISTRICT

PETITIONER/ACCUSED :

**SURESH @ JYOTHI,
AGED 40 YEARS, S/O.SREEDHARAN ASARI,
UTHRADOM BHAVAN, ASARI VILAKOM,
KURUPUZHA VILLAGE, PACHA P.O., TRIVANDRUM.**

**BY ADVS.SRI.G.RANJU MOHAN
SMT.M.SANTHI**

RESPONDENT/STATE :

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

BY PUBLIC PROSECUTOR SRI.SAJJU.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-09-2017, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

P. UBAID, J.

B.A.No.6476 of 2017

Dated this the 28th day of September, 2017

ORDER

The petitioner seeks pre-arrest bail under Section 438 of the Code of Criminal Procedure on the apprehension of arrest and custodial harassment in connection with Crime No.991/2017 of the Palode Police Station, registered under Sections 294(b), 323 and 354 of the Indian Penal Code. He is the sole accused in the crime.

2. The prosecution case is that on 06.08.2017, the petitioner assaulted the de-facto complainant and inflicted simple injuries on her body. An instance of assault will not by itself come under Section 354 IPC. For such a prosecution something more is required by way of sexual intent. In the above circumstances, I feel it appropriate to grant bail to the petitioner. It will suffice that the petitioner is directed to report before the police for necessary interrogation.

In the result, this petition for pre-arrest bail is allowed. The petitioner is ordered to be released on bail on his executing a bond with two solvent sureties for ₹30000/- (Rupees thirty thousand only) each to the satisfaction of the arresting officer or the court below having jurisdiction, in case of his arrest in connection with Crime No.991/2017 of Palode Police Station. Bail is granted on condition that;

a) The petitioner shall report before the investigating officer between 10 a.m. and 11 a.m. on all Wednesdays for a period of six weeks.

b) The petitioner shall not leave the limits of Palode Police Station for a period of six weeks.

c) The petitioner shall not in any manner influence or intimidate the material witnesses, or they shall not have any contact with the material witnesses directly or over telephone or otherwise.

bpr

Sd/-
P. UBAID, JUDGE

//TRUE COPY//

P.A. TO JUDGE