

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

WEDNESDAY, THE 06TH DAY OF MAY 2020 / 16TH VAISAKHA, 1942

B.A.TMP NO.126 OF 2020

(Crime No. 318/2020 of Edathala Police Station, Ernakulam District)

PETITIONER/ACCUSED

Fasaludheen, Aged 29 years,
S/o.Sidhique, Karukunnath House,
Perigala P.O, Pallikkara,
Ernakulam – 683565

By Adv K.S Arun Kumar

RESPONDENT/COMPLAINANT

State of Kerala represented by Public Prosecutor,
High Court of Kerala, Ernakulam

BY P.P.SRI.AJITH MURALI & SANTHOSH PETER(SR)

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON
06.05.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.V.KUNHIKRISHNAN, J

B.A.No.126 of 2020

Dated this the 6th day of May, 2020

O R D E R

This Bail Application filed under Section 438 of Criminal Procedure Code was heard through Video Conference.

2. Petitioner is the sole accused in Crime No.318/2020 of Edathala Police Station registered alleging offences punishable under Sections 323 and 427 IPC and Section 4 r/w 3 of the Kerala Health Care Service Person and Health Care Service Instrumental Prevention of Violence and Damage of Property Act, 2012.

3.The prosecution case is that on 13.4.2020 the accused misbehaved to the doctor in the casualty and damaged his telescope and thereby the petitioner committed the above offence.

4. The defacto complainant appeared through the counsel and submitted that he has no objection in granting bail to the petitioner.

5. The learned Public Prosecutor also submitted that since the defacto complainant has no objection, the prosecution has also no objection in granting bail to the petitioner.

6. Hence, in the light of the submission of the learned counsel for the defacto complainant and the learned Public Prosecutor, this bail application can be allowed.

7. Hence this Bail Application is allowed with the following directions:

1. The petitioner shall appear before the Investigating Officer within ten days from today and shall undergo interrogation.

2. After interrogation, if the Investigating Officer propose to arrest the petitioner, he shall be released on bail executing a bond for a sum of Rs.50,000/-(Rupees Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer concerned.

3. The petitioner shall appear before the Investigating Officer as and when required. The petitioner shall co-operate with the investigation and shall not threaten or attempt to influence the witnesses or tamper with the evidence.

4. The petitioner shall strictly abide by the

various guidelines issued by the State Government and Central Government with respect to keeping of social distancing in the wake of declared lock-down.

5. If any of the above conditions are violated by the petitioner, the jurisdictional Court can cancel the bail in accordance to law, even though the bail is granted by this Court.

**P.V.KUNHIKRISHNAN
JUDGE**

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