
SHIHAB Vs STATE OF KERALA

3430 of 2017

Court: High Court Of Kerala

Date of Decision: May 24, 2017

Acts Referred:

[Indian Penal Code, 1860](#), [Section 324](#), [Section 427](#), [Section 398](#) - Voluntarily causing hurt by dangerous weapons or means - Mischief causing damage to the amount of fifty ru

Hon'ble Judges: Sunil Thomas

Bench: SINGLE BENCH

Advocate: S.RENJITH, K.R.PRATHISH, VARGHESE C.KURIAKOSE, SEENU SADIQUE,

Final Decision: Allowed

Judgement

1. The petitioner is the accused in Crime No.1778/2017 of Muvattupuzha police station for offences punishable under sections 324, 427 and 398

IPC.

2. The allegation of the prosecution is that, on 9/5/2017 at about 10.50 am, while the defacto complainant was driving his vehicle, the petitioner

herein pelted a stone at the vehicle, resulting in smashing of window panes and causing bodily injuries to the defacto complainant. The petitioner

herein was arrested on 10/5/2017 and is in custody since then. He seeks bail.

3. The injured got himself impleaded and opposed the application. It was contended by the injured that, labour dispute was pending and the

employer had obtained Annexure-1 police protection order on 25/4/2017. The petitioner herein was a party to the above proceeding and hence,

he is not entitled for any relief, contended the learned counsel.

4. Heard the learned Public Prosecutor also.

5. It appears that the incident was an offshoot of a labour dispute. Having regard to the fact that the investigation has progressed, I am inclined to

grant bail to the petitioner subject to the following conditions:

(i). The petitioner shall execute a bond for a sum of Rs.40,000/- (Rupees forty thousand only) with two sureties for the like sum each to the

satisfaction of the jurisdictional Court.

ii). He shall appear before the Investigating Officer on all Thursdays between 9 am and 10 am for two months from the date of execution of bond.

iii). He shall not threaten, coerce or intimidate the defacto complainant and the witnesses nor shall he interfere in the process of investigation.

iv). He shall not enter the limit of the Muvattupuzha police station during the above period of two months.

The bail application is allowed.