

**(2021) 07 KL CK 0236**  
**In the High Court Of Kerala**  
**Case No : Bail Application 5417 Of 2021**

Mathews Kallupura

APPELLANT

Vs

State Of Kerala

RESPONDENT

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**Date of Decision :** 20-07-2021

**Acts Referred:**

Indian Penal Code, 1860 — Section 34, 294(b), 353, 506(i)  
Kerala Health Care Service Persons and Health Care Service Institutions (Prevention of Violence and Damage to Property) Act, 2012 — Section 3

**Citation :** (2021) 07 KL CK 0236

**Hon'ble Judges :** P. Somarajan, J

**Bench :** Single Bench

**Advocate :** K.Ramachandran, T.P.Pradeep, Minikumary M.V., Ajai John

**Final Decision :** Allowed

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## Judgement

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P. Somarajan, J

1. Accused Nos.1 to 3 who were arrested on 13/07/2021 came up for regular bail on the reason that the offence alleged against them viz., Section

294(b), 353, 506(i) r/w Section 34 IPC and Section 3 of the Kerala Health Care Service Persons and Health Care Service Institutions (Prevention of

Violence and Damage to Property) Act, 2012 are minor in nature. It is in connection with the death of one John on 21/05/2021 at 2.20 p.m. at a

hospital and the alleged delay in intimating the death to the concerned Police, the accused abused the duty doctor and attempted to cause damage to

the articles kept in the hospital. The complaint was lodged by the duty doctor after four days of the alleged incident. It is submitted that it is the result

of an after thought.

2. Accused Nos.1 to 3 were arrested on 13.07.2021. What is alleged are only minor offences. As such, further detention of the accused persons in

judicial custody is not warranted. Bail is granted to the petitioners on executing a bond for Rs.20,000/- (Rupees twenty thousand only) each with two

solvent sureties each for the like sum to the satisfaction of the learned Magistrate within one month from today.

3. Granting of bail will be subject to the condition that the petitioners shall not in any way induce directly or indirectly the defacto complainant or the

witnesses involved in the alleged crime and shall not tamper with the evidence. They shall appear before the investigating officer as and when

required. They shall not repeat any such offence during the bail period.

The application is allowed accordingly.