

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

Bail Appl..No. 9178 of 2014 ()

CRIME NO. 1806/2014 OF ANCHAL POLICE STATION, KOLLAM DISTRICT.

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PETITIONER/2ND ACCUSED:

**PRABHA MAHESWAR, AGED 40 YEARS,
S/O.PRABHARAN, PRATHEEKSHA, EDAYILE VEEDU,
MEENATHU, VALLIKUNNAM P.O., ALAPPUZHA DISTRICT.**

BY ADV. SRI.PRASAD CHANDRAN.

RESPONDENT/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
ANCHAL POLICE STATION, ANCHAL,
KOLLAM-691 101.**

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-12-2014, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B.KEMAL PASHA, J.

B.A. No.9178 of 2014

Dated this the 30th day of December, 2014

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.1806 of 2014 of the Anchal Police Station, registered for the offences punishable under Section 498 A read with Section 34 IPC.

3. The allegation against the petitioner is that he along with the other accused have tortured and harassed the defacto complainant, who is the wife of the 1st accused and treated her with cruelty by demanding more dowry and gold ornaments, after misappropriating her entire gold ornaments and money.

4. Heard learned counsel for the petitioner and learned Senior Public Prosecutor.

5. The investigation of this case is practically over. No criminal antecedents have been reported against the petitioner. This is not a case, wherein the custodial interrogation of the petitioner is required for the continued

investigation of this case. Being a matrimonial offence and considering the chance of re-union and the possibility of settlement in the matter, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹.50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum each to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

(i) The petitioner shall report before the investigating officer in between 09.00 a.m. and 11.00 a.m. on all Saturdays commencing from 03.01.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the

evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-
B. KEMAL PASHA
JUDGE

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PA to Judge