

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

Bail Appl..No. 129 of 2015 ()

CRIME NO. 1169/2014 OF VANCHIYOOR POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED:

**ARUN PARYADATH,AGED 36 YEARS,
S/O.P.SUDHAKARAN, DEVI, 29/117,
JANATHA ROAD, KOCHI-682 019.**

**BY ADVS.SRI.T.M.RAMAN KARTHA
SMT.SYAMA MOHAN**

RESPONDENT(S)/STATE AND COMPLAINANT:

- 1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, PIN -682 031.**
- 2. SUB INSPECTOR OF POLICE,
VANCHIYOOR POLICE STATION,
THIRUVANANTHAPURAM CITY,PIN -695 001.**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B.KEMAL PASHA, J.

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B.A. No.129 of 2015

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Dated this the 27th day of January, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1169 of 2014 of the Vanchiyoore Police Station, registered for the offence punishable under Section 498A IPC.

3. The allegation against the petitioner is that he tortured and harassed the defacto complainant, who is his wife and has failed to maintain her or to enquire about her. It is alleged that he had made her to resign her job at the Technopark and also stopped her Phd Program in Management at the NIT, Kozhikode. Thereafter, he went abroad and he is not in the habit of picking up the phone calls of the defacto complainant.

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

5. Considering the possible chance of re-union and settlement in the matter, I am of the view that this is a fit case

wherein anticipatory bail can be granted to the petitioner by considering the fact that this is a matrimonial offence.

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 Rs.25,000/- (Rupees twenty five 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 Tuesdays and Fridays commencing from 03.02.2015 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**

DSV/27/1/15

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P.A. To Judge