

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

Bail Appl..No. 165 of 2015 ()

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CRIME NO. 649/2014 OF KANAKAKUNNU POLICE STATION, ALAPPUZHA DIST.**

PETITIONERS/1 TO 5 ACCUSED:

- 1. ANEESHKUMAR, AGED 34 YEARS,
S/O.SIVAN PILLAI, SIVA BHAVAN,
VAVVAKAVU P.O.. K.S. PURAM VILLAGE,
ALAPPUZHA DISTRICT.**
- 2. SIVAN PILLAI, AGED 67 YEARS,
SIVA BHAVAN, VAVVAKAVU P.O..
K.S. PURAM VILLAGE, ALAPPUZHA DISTRICT.**
- 3. SARASWATHY, AGED 62 YEARS,
W/O.SIVAN PILLAI, SIVA BHAVAN,
VAVVAKAVU P.O.. K.S. PURAM VILLAGE,
ALAPPUZHA DISTRICT.**
- 4. ANILKUMAR, AGED 36 YEARS,
S/O.SIVAN PILLAI, SIVA BHAVAN,
VAVVAKAVU P.O.. K.S.PURAM VILLAGE,
ALAPPUZHA DISTRICT.**
- 5. MANJUKRISHNA, AGED 34 YEARS,
W/O.ANILKUMAR, SIVA BHAVAN,
VAVVAKAVU P.O.. K.S. PURAM VILLAGE,
ALAPPUZHA DISTRICT.**

BY ADV. SMT.G.VIDYA.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B.KEMAL PASHA, J.

B.A.No.165 of 2015

Dated this the 29th day of January 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioners are the accused in Crime No.649/2014 of Kanakakkunu Police Station, Alappuzha district registered for the offences punishable under Sections 406 and 498A read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioners is that they have tortured and harassed the de-facto complainant, who is the wife of the first petitioner, and treated her with cruelty, by demanding more dowry and gold ornaments after misappropriating her entire gold ornaments and money.

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

5. No criminal antecedents have been reported against the petitioners. The investigation of this case is practically over. This is not a case wherein the custodial interrogation of the petitioners is required for the continued investigation of the case. Being a matrimonial offence, considering the possibility of re-union and settlement, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioners.

6. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioners, is directed to enlarge the petitioners on bail in the event of their arrest on each of them executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

- (i) The petitioners shall report before the investigating officer in between 9 a.m. and 11 a.m. on

all Thursdays and Mondays commencing from 5.2.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioners shall not tamper with the evidence or influence witnesses.

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

(iv) The petitioners 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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// TRUE COPY //

PA to Judge