

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

Bail Appl..No. 232 of 2015

CRIME NO.NOT KNOWN

PETITIONER(S)/ACCUSED:

**SATHEESH KUMAR, AGED 45 YEARS
S/O. BALAKRISHNA PILLAI, WORKING AS U.P.S.A
GOVERNMENT H.S.S., PATTAZHI, KOTTARAKKARA
KOLLAM, RESIDING AT VAISHNAVAM VEEDU, NADUTHERI
PATTAZHI VILLATGE, PATHANAPURAM, KOLLAM DISTRICT.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT(S)/COMPLAINANT:

**THE STATION HOUSE OFFICER
KUNNICODE POLIE STATION, KOLLAM DISTRICT,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21-01-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

B.A.No.232 of 2015

Dated this the 21st day of January 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.39/2015 of Kunnicode Police Station, Kollam district registered for the offence punishable under Section 498A of the Indian Penal Code.

3. The allegation against the petitioner is that he had tortured and harassed the de-facto complainant, who is his wife and treated her with cruelty, within the meaning of Section 498A of the Indian Penal Code, by demanding her more dowry and by complaining that she was not fair enough to be his wife.

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

5. The petitioner, as well as the de-facto complainant, are

teachers by profession and a child is born in their wedlock. This is a matrimonial offence. For keeping alive the 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.

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 petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹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 petitioner shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays commencing from 28.1.2015 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**

dl

[True copy]

P.S. to Judge