

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYASHTA, 1937

Bail Appl..No. 525 of 2015 ()

CRIME NO. 1566/2014 OF POOYAPALLY POLICE STATION,KOLLAM DISTRICT

PETITIONER/1ST ACCUSED:

**MURPHY E.S., AGED 33 YEARS,
S/O.N.P.SASEENDRAN, EDAPARAMBIL, C.M.C. -2,
VELOORVATTAM, P.O.CHERTHALA,
DIST ALAPPUZHA-688 524.**

**BY ADVS.SRI.M.R.VENUGOPAL
SMT.DHANYA P.ASHOKAN**

RESPONDENT(S):

- 1. THE SHO,
POOYAPALLY POLICE STATION, KOLLAM DISTRICT,
PIN-689 627.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.525 of 2015

Dated this the 22nd day of May, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the husband of the 1st informant.

He is alleged to have subjected her to cruelty, assaulted her and outraged her modesty. The case has been registered for the offences under Secs.324, 354 and 498A of Indian Penal Code.

3. Heard both sides.

4. It is doubtful whether Sec.354 IPC is attracted. There is no case that the petitioner or the other accused used any weapons. Still Sec.324 of IPC also finds a place in the First Information Report. It appears that it is not difficult to bring back harmony to the family. In these circumstances, I am inclined to grant anticipatory bail to the petitioner.

In the result, this bail application is allowed:

- 1) The petitioner shall be released on bail

after interrogation on his executing a bond for 25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) He shall not destroy or tamper with evidence.

4) He shall not harass the defacto complainant or her relatives.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A. To Judge