

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

Bail Appl..No. 603 of 2015 ()

**CRIME NO. 1307/2014 OF MATTANNUR POLICE STATION,
KANNUR DISTRICT**

PETITIONER/1ST ACCUSED :

**ANANDAKRISHNAN K., AGED 33 YEARS,
S/O.NARAYANA, POOKKANDY HOUSE, PANAYATHAMPARAMB,
P.O.EDAYANNUR, KANNUR DISTRICT.**

**BY ADVS.SRI.C.P.PEETHAMBARAN
SMT.MINI.V.A.**

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 04-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

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B.A. No. 603 of 2015

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Dated this the 4th day of February, 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the first accused in Crime No.1307/2014 of Mattannur Police Station registered for the offences punishable under Sections 498(A), 325 and 420 read with Section 34 IPC.

3. The allegation against the petitioner is that he has tortured and harassed the defacto complainant, who is the wife of the 1st accused, and treated her with cruelty, by demanding more dowry, after misappropriating her entire gold ornaments and money. It is alleged that by making a false representation that he would keep her gold ornaments in locker, he obtained her gold ornaments and misappropriated it, thereby cheating and defrauding the de facto complainant. It is also alleged that the petitioner is keeping a concubine and when he was caught red-handed by the de facto complainant and her father from the house

of the concubine on 06.04.2014, he severely attacked the de facto complainant and her father. Her father was severely beaten up and he suffered a grievous hurt also.

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

5. The contents of the C.D. prima facie reveal the complicity of the petitioner. The wound certificate of the father of the de facto complainant which finds a place among the records in the C.D. clearly reveals the series of injuries sustained by the father of the de facto complainant. The allegations against the petitioner are very grave and serious. Considering the seriousness of the allegation against the petitioner, and the present stage of investigation, I am satisfied that the petitioner is not entitled to the discretionary relief of anticipatory bail.

The learned counsel for the petitioner seeks for an opportunity to the petitioner to surrender before the investigating officer and to co-operate with the

investigation.

In the result, this bail application is dismissed. At the same time, if so advised, the petitioner may surrender before the investigating officer within ten days from today and in such case, the investigating officer can interrogate the petitioner, effect recovery if any, and conduct the investigation and produce the petitioner without delay before the concerned Judicial First Class Magistrate's Court, where the petitioner can move for bail. In such case, the learned Magistrate shall pass appropriate orders, preferably on the same day itself, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/-
B.KEMAL PASHA, JUDGE

stu

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P.A to Judge