

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

Bail Appl..No. 887 of 2015

CRIME NO. 702/2014 OF MELATTUR POLICE STATION , MALAPPURAM

PETITIONER(S)/1ST ACCUSED:-:

**KALESH CHANDRAN, AGED 28 YEARS
S/O.CHANDRAN, KARAPARAMBIL HOUSE, EDAPPATTA
PULLIYAKKODE, MYLADIPPARA, MALAPPURAM DISTRICT.**

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT(S)/COMPLAINANT:-:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM
(CR.NO.702 OF 2014 OF MELATTUR POLICE STATION).**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

.....
B.A. No.887 OF 2015

.....
Dated this the 19th day of February, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.702/2014 of the Melattur Police Station, Malappuram registered for the offences punishable under Sections 498A and 306 read with Section 34 of the Indian Penal Code.

3. The deceased, who was a Muslim girl, fell in love with the petitioner who is a Hindu, subsequently she got converted into Hinduism and they got married. From the date of marriage onwards she was being harassed and tortured by the family members of the petitioner. The petitioner also started harassing her. She was not permitted to be in the house. So she was constrained to go to a

nearby rubber estate to spend her day time by sitting there. She could only come back during night and sleep on a sack in the rear open veranda of the house. She was severely beaten up every now and then. Finally, she was found missing and after about four days her putrefied dead body was found in an abandoned well in the rubber estate. The petitioner has been in custody for the period from 07.01.2015 onwards.

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

5. The contents of the CD, reveal that the investigation of this case is practically over. There is a hue and cry from the public regarding the suspicious death of the deceased alleging that it was a murder. No criminal antecedents have been reported against the petitioner. The learned counsel for the petitioner has pointed out that the child of the deceased and the petitioner has to be maintained for which the petitioner has to come out. Even

though the allegations are very grave and serious, considering the aforesaid aspect, I am of the view that the petitioner can be enlarged on bail, on strict conditions.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, 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 Thursdays and Mondays commencing from 26.02.2015 for a period of six months.

(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.

ul/-

Sd/- B.KEMAL PASHA, JUDGE

[True copy]

P.S. to Judge