

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Bail Appl..No. 937 of 2015 ()

CRIME NO. 213/2015 OF KUNNAMKULAM POLICE STATION, THRISSUR DIST.

.....

PETITIONER/ACCUSED:

AZEEZ @ ISMAIL, AGED 36 YEARS,
S/O.MAKKARU @ KUNHUMARAKKAR,
THERUVATH HOUSE, MANALI, CHIRANELLUR P.O.,
KACHERY VIA., THRISSUR DISTRICT.

BY ADV. SRI.P.K.ANIL.

RESPONDENTS/COMPLAINANT/STATE:

1. THE SUB INSPECTOR OF POLICE,
KUNNAMKULAM, TRICHUR DISTRICT- 680 001.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
KUNNAMKULAM, TRICHUR- 680 001.
3. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

B. KEMAL PASHA, J.

.....
B.A. No.937 of 2015
.....

Dated this the 3rd day of March, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.213/2015 of Kunnamkulam Police Station registered for the offences punishable under Sections 306 and 498A read with Section 34 IPC.

3. The allegation against the petitioner and the other accused is that they have tortured and harassed the deceased and forwarded undue demands of further dowry and she was harassed with a view to procuring more money and gold ornaments from her house. The deceased, who could not withstand the harassment, has finally chosen to commit suicide by pouring kerosene all over her body at 9 a.m. on 30.01.2015 at the matrimonial home and ignited herself. The petitioner has been in custody for the period

from 01.02.2015 onwards.

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

5. The contents of the CD reveal that the investigation of this case is practically over. The continued detention of the petitioner in custody is not required for the continued investigation of this case. No criminal antecedents have been reported against the petitioner. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹50,000/- (Rupees fifty thousand 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 Tuesdays and Fridays, commencing from 10.03.2015 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)

aks/03/03

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PA to Judge