

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

Bail Appl..No. 1157 of 2015 ()

CRIME NO. 1290/2014 OF NOORANADU POLICE STATION, ALAPPUZHA

PETITIONERS/ACCUSED 1 & 2 :

- 1. SUBASHKUMAR, AGED 39 YEARS
S/O.BHASKARAN NAIR, SREE NILAYAM VEETIL
PEROOR KARAZHMA MURI, CHARUMMOODU,
MAVELIKKARA TALUK, ALAPPUZHA DISTRICT.**
- 2. SUMATHIAMMA, AGED 65 YEARS
W/O.BHASKARAN NAIR, RAJESH BHAVANAM
PEROOR KARAZHMA MURI, CHARUMMOODU,
MAVELIKKARA TALUK, ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.R.PADMAKUMAR
SRI.P.ARAVIND**

RESPONDENT/ACCUSED :

**STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI - 682 031.**

BY SR. PUBLIC PROSECUTOR SRI. C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

B.KEMAL PASHA, J.

.....
Bail Application No. 1157 of 2015

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Dated this the 11th day of March, 2015.

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioners are the accused in Crime No.1290/2014 of Nooranadu Police Station registered for the offences punishable under Section 498 (A) IPC read with Section 34 IPC.

3. The allegation against the petitioners is that they have tortured and harrassed the de-facto complainant who is the wife of the first petitioner and treated her with cruelty, by demanding more dowry and gold ornaments, after misappropriating her entire money and gold ornaments.

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

5. A matrimonial offence is in question. This Court cannot rule out presently the possibility of a reunion or a settlement. By considering the said chance, this Court is of the view that this is a fit case wherein anticipatory bail

can be granted to the petitioners.

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 petitioners, is directed to enlarge the petitioners on bail in the event of their arrest on each of them 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 petitioners shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays, commencing from 18-3-2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioners shall not tamper with the evidence or influence witnesses.

(iii) The petitioners shall make themselves available for interrogation as and when required by the investigating officer.

(iv) The petitioners shall not involve in any offence while on bail.

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It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

B.KEMAL PASHA, JUDGE

smm