

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

Bail Appl..No. 1503 of 2015 ()

CRIME NO. 178/2015 OF PIRAVOM POLICE STATION, ERNAKULAM DISTRICT.

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PETITIONERS/ACCUSED:

- 1. SUKUMARAN K.A., AGED 74 YEARS,
S/O.AYYAPPAN, CHELAKKAL HOUSE, MANEED,
NECHUR P.O., PIRAVOM, PIN - 686 664.**
- 2. RADHA SUKUMARAN, AGED 70 YEARS,
W/O.SUKUMARAN, CHELAKKAL HOUSE, MANEED,
NECHUR P.O., PIRAVOM, PIN - 686 664.**
- 3. BIJUKUMAR C.S., AGED 42 YEARS,
S/O.SUKUMARAN, CHELAKKAL HOUSE, MANEED,
NECHUR P.O., PIRAVOM, PIN - 686 664.**

**BY ADVS.SRI.P.G.JAYASHANKAR,
SMT.V.VIJITHA.**

RESPONDENT/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN-682 031.**
- 2. CIRCLE INSPECTOR OF POLICE,
PIRAVOM POLICE STATION, PIRAVOM-682 017.**

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B. KEMAL PASHA, J.

.....
B.A. No.1503 of 2015
.....

Dated this the 9th day of April, 2015

ORDER

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Petition under Section 438 Cr.P.C.

2. Petitioners are the accused in Crime No.178/2015 of Piravom Police Station registered for the offence punishable under Section 498A IPC.

3. The allegation against the petitioners is that they have tortured and harassed the de facto complainant, who is the wife of the 3rd petitioner, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more gold ornaments and money, after misappropriating her entire gold ornaments and money. It is alleged that the 3rd petitioner used to inflict bodily harm on the de facto complainant at the instigation of petitioners 1 and 2.

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

5. A matrimonial offence is in question. This Court cannot, at this stage, rule out the possibility of a settlement or re-union in the matter. Considering the said aspect, I am 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 Thursdays and Mondays, commencing from 16.04.2015 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.

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/09/04

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PA to Judge