

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

Bail Appl..No. 1518 of 2015 ()

CRIME NO. 359/2015 OF PUTHENVELIKKARA POLICE STATION , ERNAKULAM.

APPLICANT/ACCUSED NO. 1:

**DILEEP,
AGED 52 YEARS,
S/O.NARAYANAN,
APPACHATH HOUSE,
PUTHENVELIKKARA,
PUTHENVELIKKARA VILLAGE,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.PRASUN.S
SRI.PAUL MATHEW (PERUMPILLIL)
SRI.P.V.SREENIJIN
SMT.K.B.SONY**

RESPONDENT/COMPLAINANT & STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, PIN - 682 031,
REPRESENTING THE SUB-INSPECTOR OF POLICE,
PUTHENVELIKKARA POLICE STATION.**

BY PUBLIC PROSECUTOR SRI.ABDUL KAREEM (FOR ADGP)

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

vmr.

B.KEMAL PASHA, J.

.....
B.A. No. 1518 OF 2015
.....

Dated this the 20th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.359/2015 of the Puthenvelikkara Police Station, Ernakulam registered for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner is that on 04.05.2014 by 9.30 pm, the petitioner slapped the deceased, who is his wife Deepa, and dragged her out of the house and pushed her down to the courtyard. He directed her, either to go to the house of the 2nd accused or to go and commit suicide. It is alleged that the deceased committed suicide on the same night itself. The petitioner has been in custody for the period from 01.03.2015

onwards.

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

5. The learned counsel for the petitioner has pointed out that the deceased had an extra marital relationship, by way of illicit connections with the 2nd accused, and she has committed suicide as the 2nd accused had avoided her. Whatever it is, on going through the facts and circumstances of this case, I do not think that continued detention of the petitioner in custody is required for the continued investigation of this case. No criminal antecedents have been reported against the petitioner. Considering all the above, I am of the view 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 ₹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 Fridays and Tuesdays commencing from 27.03.2015 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

ul/-

[True copy]

P.S. to Judge