

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 24TH DAY OF APRIL 2015/4TH VAISAKHA, 1937

Bail Appl..No. 1785 of 2015 (C)

CRIME NO. 251/2015 OF PEROORKADA POLICE STATION , THIRUVANANDAPURAM

PETITIONER/ACCUSED:

ANIL P, AGED 43 YEARS
S/O.PEETHAMBARAN NAIR, SURABHI VEEDU, ARASUPARAMBU
NEDUMANGADU, TRIVANDRUM.

BY ADVS. SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM - 682 031.

BY PUBLIC PROSECUTOR SMT.P.MAYA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
24-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B. A. No.1785 of 2015

Dated this the 24th day of April, 2015

ORDER

This petition is filed under Section 438 of Cr. P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent.

3. The petitioner is the accused in Crime No.251 of 2015 of Peroorkada Police Station. The offences alleged are under Sections 452, 294(b) and 506(ii) of IPC. Learned counsel for the petitioner submits that the petitioner is innocent of the allegations raised against him. He has no criminal antecedents. The de facto complainant is none other than his wife. There are some disputes between the husband and the wife. The custodial interrogation of the petitioner is not required. He further submits that the petitioner apprehends arrest by the police at any time.

4. Learned Public Prosecutor, on instructions, submits that the investigation of the case has progressed much. She further submits that no criminal antecedents have been reported against the petitioner. On considering the facts and circumstances, stage of the investigation and the fact that no criminal antecedents have been reported against the petitioner as also the fact that the de facto complainant is none other than the wife of the petitioner, this Court is of the view that the petitioner can be granted anticipatory bail imposing appropriate conditions. Therefore, the petitioner is granted anticipatory bail subject to the following conditions:-

- 1)The petitioner shall surrender before the Investigating Officer on or before 02-05-2015. In the event of his arrest, he shall be released on bail on his executing a bond for ₹ 25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.
- 2)The petitioner shall not directly or indirectly make

any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

3)The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

4)The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

5)The petitioner shall not commit any similar offence while on bail.

6)The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE

