

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

Bail Appl..No. 1861 of 2015 ()

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CRIME NO. 391/2015 OF PARAPPANANGADI POLICE STATION,
MALAPPURAM DISTRICT
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PETITIONER/ACCUSED:

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HAMSA @ BAVA, AGED 51 YEARS,
S/O. MOHAMMED, THADATHIL HOUSE,
KARINGALLATHANI, ULLANAM P.O, PARAPPANANGADI,
MALAPPURAM DISTRICT.**

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENT/COMPLAINANT :

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STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.1861 of 2015

Dated this the 22nd day of May, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the husband of the 1st informant.

It is alleged that he misappropriated her properties, threatened her to cause her death and subjected her to cruelty and attempted to cause her death.

3. Heard both sides.

4. The first informant had filed a petition under Sec.12 of the Protection of Women from Domestic Violence Act against the petitioner. When the notice was attempted to be served on him, he allegedly throttled her in the presence of the messenger who took the notice to him. There is a prima facie case against him. It is not proper to invoke the jurisdiction of this Court under Sec.438 Cr.P.C. in his favour.

In the result, the bail application is dismissed.

The submission of the learned counsel that the petitioner

will surrender before the investigating officer is recorded.

He may do so if he is so advised.

K. ABRAHAM MATHEW
JUDGE

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