

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. 1864 of 2015 ()

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CRIME NO. 82/2015 OF KUTTIADI POLICE STATION, KOZHIKODE DISTRICT.**

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PETITIONERS/ACCUSED:

- 1. RAMACHANDRAN. C.K., AGED 43 YEARS,
S/O.KRISHNAN NAIR, CHOOLAMKANDY HOUSE,
KUTTIADI AMSOM OORATH DESOM,
VADAKARA TALUK, KOZHIKODE.**
- 2. JANU AMMA, AGED 68 YEARS,
W/O.KRISHNAN NAIR, CHOOLAMKANDY HOUSE,
KUTTIADI AMSOM OORATH DESOM,
VADAKARA TALUK, KOZHIKODE.**

**BY ADVS.SRI.A.RANJITH NARAYANAN,
SMT.A.SIMI,
SRI.S.K.SAJU.**

RESPONDENT(S):

**STATE OF KERALA,
REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN-682 031,
REPRESENTING THE S.I. OF POLICE,
KUTTIADI POLICE STATION, KOZHIKODE-673 001.**

BY PUBLIC PROSECUTOR SRI.SREEJITH. V.S.

**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.

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B.A. No. 1864 of 2015

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Dated this the 9th day of April, 2015

ORDER

Petition under Section 438 Cr.P.C.

2. According to the petitioners, they are apprehending arrest in connection with Crime No.82/2015 of the Kuttiadi Police Station, Kozhikode District, registered for the offences punishable under Section 498(A) IPC and Section 31(1) of the Protection of Women from Domestic Violence Act.

3. On hearing the learned counsel for the petitioners and the learned Public Prosecutor, this Court is of the view that this is not a fit cases wherein anticipatory bail can be granted to the petitioners.

4. The learned counsel for the petitioners has pointed out that the 2nd petitioner is aged above 70 years and is ailing. Considering the facts and circumstances of the case, I am of the view that an opportunity can be granted to the petitioners to surrender before the investigating officer in order to co-operate

with the investigation.

In the result, this bail application is dismissed. At the same time, if so advised, the petitioners may surrender before the investigating officer within ten days from today and in such case, the investigating officer can interrogate the petitioners, effect recovery if any, and conduct the investigation and produce the petitioners without delay before the concerned Judicial First Class Magistrate's Court, where the petitioners can move for bail. In such case, the learned Magistrate shall pass appropriate orders, preferably on the same day itself, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/-
B.KEMAL PASHA, JUDGE

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P.A to Judge