

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. 2044 of 2015 ()

PETITIONER(S)/ACCUSED:

- 1. SREEJITH.N.S, AGED 39 YEARS,
S/O.LATE SREEDHARAN NAMBOODIRI, NELLUVELI MANA, D1,
SPICE GARDENS, THAMARAKKULANGARA, TRIPUNITHURA.**
- 2. K.N.AMMU, W/O.SREEDHARAN NAMBOODIRI, AGED 73 YEARS,
NELLUVILI MANA, D1, SPICE GARDENS,
THAMARAKKULANGARA, TRIPUNITHURA.**
- 3. N.S.SOWMYA, W/O.SATHEESAN, A2 SPICE GARDENS,
AGED 43 YEARS, THAMARAKULANGA, TRIPUNITHURA.**

BY ADV. SRI.N.M.VARGHESE

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
TO BE REPRESENTED BY THE SUB INSPECTOR OF POLICE,
HILL PALACE POLICE STATION,
TRIBUNITHURA THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**
- 2. THE CIRCLE INSPECTOR OF POLICE, TRIBUNITHURA,
TRIPUNITHURA PO, ERNAKULAM DISTRICT.**

R1 & R2 BY SMT.V.H.JASMINE, PUBLIC PROSECUTOR

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

DG

BABU MATHEW P. JOSEPH, J.

B.A.No. 2044 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 petitioners and the learned Public Prosecutor appearing for the respondents. C.D. produced.

3. The petitioners are accused 1, 2 and 3 in crime No.442 of 2015 of Hill Palace Police Station. The offence alleged is under Section 498 A read with Section 34 of IPC. The learned counsel for the petitioners submits that the 1st petitioner is the husband of the defacto complainant. The 2nd petitioner is his mother and the 3rd petitioner is his sister. They are innocent of the allegations raised against them. They have no criminal antecedents. The investigation

of the case has progressed much. The 2nd petitioner is aged 73. He further submits that the petitioners apprehend arrest by the police at any time.

4. Learned Public Prosecutor submits that the investigation is yet to be completed. She further submits that no criminal antecedents have been reported against the petitioners. On considering the facts and circumstances, stage of the investigation and the fact that no criminal antecedents have been reported against the petitioners, this Court is satisfied that the petitioners can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioners are granted anticipatory bail subject to the following conditions:

- 1) The petitioners shall surrender before the Investigating Officer on or before 02.05.2015. In the event of their arrest, they shall be released on bail on their executing bonds for Rs.25,000/-(Rupees twenty five

thousand only) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

2) The petitioners 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 petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

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

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

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

This application is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH, JUDGE.

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P.A TO JUDGE

DG