

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

TUESDAY, THE 21ST DAY OF APRIL 2015/1ST VAISAKHA, 1937

Bail Appl..No. 2139 of 2015 (B)

CRIME NO. 2444/2014 OF CHAVARA POLICE STATION , KOLLAM

PETITIONER/1ST ACCUSED:

SHERLY JOSE, AGED 46, W/O JOSE,
NEDUMTHOPPIL, NENDAKARA P.O.,
KOLLAM, PIN : 691582.

BY ADV. SRI.JOSEPH SEBASTIAN (KOLLAM)

RESPONDENT/COMPLAINANT

STATE OF KERALA, THROUGH THE
SUB-INSPECTOR OF POLICE, CHAVARA POLICE STATION,
KOLLAM DISTRICT,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM - 682 031.

BY PUBLIC PROSECUTOR SMT.SHEEBA M.T.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
21-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B. A. No.2139 of 2015

Dated this the 21st 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 first accused in Crime No.2444 of 2014 of Chavara Police Station. The offences alleged are under Sections 447, 294(b), 323, 324 and 354 read with Section 34 of IPC. Learned counsel for the petitioner submits that the petitioner is a lady aged 46. She is innocent of the allegations raised against her. The de facto complainant and the petitioner are closely related. The petitioner has no criminal antecedents. The investigation of the case has progressed much. 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. No criminal

antecedents have been reported against the petitioner, she further submits. On considering the facts and circumstances, the stage of the investigation and the facts that the petitioner is a woman aged 46 and no criminal antecedents have been reported against her, this Court is satisfied 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 28-04-2015. In the event of her arrest, she shall be released on bail on her 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 herself available for interrogation as and when required by the Investigating

Officer.

- 4)The petitioner shall not influence or intimidate the prosecution witnesses nor shall she 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