

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

Bail Appl..No. 2542 of 2015 ()

CRIME NO. 336/2014 OF THUMBA POLICE STATION , THIRUVANANDAPURAM

PETITIONER(S)/PETITIONERS/ACCUSED:

1. BERTIN ANTONY AGED 37 YEARS
S/O. HAROLD ANTONY, HOUSE NO. 163, ST CHARLES LANE
PALLITHURA, VELI, THIRUVANANTHAPURAM.
2. JENSILA AGED 54 YEARS
D/O. HAROLD ANTONY PUTHUVEL HOUSE
ST. DON BOSCO LANE, PALLITHURA, THIRUVANANTHAPURAM.
3. CATHERINE @ MARIAPPI AGED 56 YEARS
D/O. HAROLD ANTONY, BHAGAT SING NAGAR, PANGAPPARA P.O.
THIRUVANANTHAPURAM.
4. CHRISTEN VIJAYAN AGED 50 YEARS
D/O. HAROLD ANTONY, CHRISTNA COTTAGE
ST. DOMINIC SAVIO LANE, PALLITHURA
THIRUVANANTHAPURAM.
5. HAROLD ANTONY @ JIMMY
S/O. HAROLD ANTONY, PUTHVEL PURAYIDOM, ST. RITA LANE
PALLITHURA, THIRUVANANTHAPURAM.

BY ADVS.SRI.SUMAN CHAKRAVARTHY
BREJITHA UNNIKRISHNAN

RESPONDENT(S)/RESPONDENT:

THE STATE OF KERALA
REP. BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA-682031.

BY PUBLIC PROSECUTOR SRI.REJI JOSEPH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
12-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.ABRAHAM MATHEW, J

B.A.No. 2542 of 2015

Dated this the 12th May, 2015

ORDER

Petitioners are accused in Crime No.336/14 of Thumba Police Station, registered under Section 309 IPC. Later Section 304B read with 34 IPC was incorporated. First petitioner is the husband of the deceased. The other petitioners are his close relatives. The allegation is that the petitioners subjected the deceased to cruelty demanding dowry and it caused her to commit suicide.

Heard.

The dying declaration recorded by the learned Magistrate has been produced as Annexure-VII. The declarant told the Magistrate that she poured kerosene over herself and set herself on fire with intent to frighten her husband, the first petitioner. There is no whisper about any of the petitioners subjecting her to cruelty. The prosecution is yet to collect evidence to prove commission

of offences by the petitioners. So, I am inclined to grant bail to the petitioner.

In the result, this application is allowed.

- i) The petitioners shall be released on bail after interrogation on their executing a bond for ₹25,000/- (Rupees twentyfive thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.
- ii) They shall appear before the Investigating Officer for interrogation if they are so required by the Investigating Officer in writing.
- iii) They shall not destroy or tamper with evidence.
- iv) In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

K.ABRAHAM MATHEW
JUDGE

vgs12/5/15