

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYASHTA, 1937

Bail Appl..No.2853 of 2015

CRIME NO.244/2014 OF PULPALLY POLICE STATION,WAYANAD.

PETITIONER/ACCUSED:

**ANEESH.K,S/O.BALAKRISHNAN,AGED 32 YEARS,
KALLIPPANAKKUDIYIL HOUSE,KUPPAKOLLY,
THAZHATHUKAVALA,NENMENI AMSOM,
SULTAN BATTERY TALUK,WAYANAD DISTRICT.**

BY ADV.SRI.V.SHYAM

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY SI OF POLICE,
PULPALLY POLICE STATION (CRIME NO.244/14),
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K. ABRAHAM MATHEW, J.

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B.A.No. 2853 of 2015

Dated this the 12th day of June, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. The petitioner is alleged to have committed the offences under Sections 306 and 498(A) IPC. His wife committed suicide on 07.05.2014. The prosecution case is that he subjected her to cruelty, which was the reason for her committing suicide.

3. Heard.

4. A perusal of the case diary shows that he subjected her to cruelty on the ground that she became pregnant for the second time. There is no other allegations against him which can be taken notice of. There is an allegation that he asked her to commit suicide. It is not proper for me to make any observation about this allegation. But, it appears that custodial interrogation of the petitioner is not necessary for effective investigation.

In the result, this application is allowed.

- 1) The petitioner will be released on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the

satisfaction of the learned Magistrate concerned.

2) The petitioner shall appear before the investigating officer between 10.30 a.m and 11.30 a.m. on every first and third Saturdays for four months, or till the final report is filed, whichever is earlier.

3) The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.

4) The petitioner shall surrender his passport before the lower concerned of if he does not have one, he shall file an affidavit to that effect within five days of his release.

5) The petitioner shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

6) He shall not destroy or tamper with evidence.

7) He shall not get himself involved in any other criminal case while he is on bail.

8) He shall not intimidate or attempt to influence the witnesses.

9) He shall not harass the de facto complainant or her relatives.

In case of violation, the lower court concerned is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge