

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

Bail Appl..No. 3125 of 2015

CRIME NO. 652/2015 OF KOTTAYAM WEST POLICE STATION, KOTTAYAM DISTRICT.

PETITIONER/ACCUSED:

**NISHAD, AGED 37, S/O. ISMAIL,
VELLARIYIL HOUSE, 2ND FLOOR,
KERALAPURAM ANGADI MALIKA,
THIRUNAKKARA, KOTTAYAM.**

BY ADV. SRI.RAVI KRISHNAN

RESPONDENT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM,
THROUGH SUB INSPECTOR OF POLICE,
KOTTAYAM WEST POLICE STATION.**

BY PUBLIC PROSECUTOR SMT.REMA.R

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

Bail Appl. No.3125 of 2015

Dated this the 8th day of June 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.652 of 2015 of Kottayam West Police station. He is alleged to have committed the offence under Sec.498A of Indian Penal Code. He is said to have subjected his wife to cruelty.

3. Heard both sides.

4. It is submitted that there has been no legal marriage between the parties.

5. Whether there has been a legal marriage between the parties concerned is a matter to be determined at the trial. There is no allegation that the first informant has sustained any serious injuries. So I am inclined to grant the prayer of the petitioner.

In the result, the application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for

Rs.25,000/- (Rupees Twenty five thousand only)
with two solvent sureties each for the like sum if
he is arrested by the Police in connection with
this case.

2) He shall appear before the Investigating
Officer for interrogation if he is so required by
him in writing.

3) He shall not destroy or tamper with
evidence.

4) He shall not harass the defacto
complainant or her relatives.

In case of violation of any of the above conditions,
the learned Magistrate is empowered to cancel the bail in
accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge