

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937

Bail Appl..No. 3513 of 2015

**CRIME NO. 1386/2015 OF MANGALAPURAM POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

NAME AND ADDRESS OF THE PETITIONER(S)/ACCUSED :

**REMANI, AGED 42 YEARS,
W/O.DEEPU, SREE SADAN, MAARANAKUNNU,
MELTHONNAKKAL VILLAGE, MANGALAPURAM,
THIRUVANANTHAPURAM.**

BY ADV. SRI.P.G.PRAMOD

NAME AND ADDRESS OF THE RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
MANGALAPURAM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT- 695 001,
(THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM).**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

B.A. No.3513 of 2015

Dated this the 24th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offence under Section 306 of the Indian Penal Code.

3. A neighbour of her committed suicide. The police registered a case under Section 174 Cr.P.C. Later Section 306 IPC was incorporated.

4. Heard.

5. The victim has left behind a suicide note; in it she says that the petitioner is responsible for her death. That alone will not attach liability to the petitioner. I have gone through the statement of a neighbour also. What can be gathered from the case diary is that there were disputes between the families of the petitioner and the deceased. It is specifically mentioned in the suicide note that the petitioner got the victim's father arrested without any reason. I do not find anything in the case diary as of now to believe that ingredients of Section 306 IPC are

attracted. So I am inclined to grant the prayer of the petitioner for anticipatory bail.

In the result, this application is allowed.

1. The petitioner shall be released on bail after interrogation on her executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum if she is arrested by the police in connection with this case.

2. She shall appear before the investigating officer between 10 a.m to 11 a.m every Wednesday for four months or till the final report is filed whichever is earlier.

3. She shall not get herself involved in any other criminal case while she is on bail.

4. She shall not intimidate or attempt to influence the witnesses.

5. She shall not destroy or tamper with the evidence.

6. She shall not contact or communicate with the members of the victim's family or enter their residential premises till the conclusion of the investigation.

7. She shall surrender her passport before the

lower court concerned of if she does not have one, she shall file an affidavit to that effect within five days of her release.

8. She shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

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

If the petitioner surrenders before the Magistrate this order is not applicable and the learned magistrate may pass appropriate orders.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge