

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

Bail Appl..No. 3823 of 2015 ()

CRIME NO. 395/2015 OF VAZHIKKADAVU POLICE STATION, MALAPPURAM DIST.

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PETITIONERS/ACCUSED NO.1 & 2:

- 1. BINEESH M., S/O. WILSON, AGED 24 YEARS,
MANIYANKAL HOUSE, POOVAM,
KUUTIERI P.O., TALIPARAMBA TALUK,
KANNUR DISTRICT.**
- 2. SELIN, W/O. WILSON, AGED 53 YEARS,
MANIYANKAL HOUSE, POOVAM,
KUUTIERI P.O., TALIPARAMBA TALUK,
KANNUR DISTRICT.**

**BY ADVS.SRI.V.A.SATHEESH,
SRI.V.T.MADHAVANUNNI.**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM,
THROUGH S.H.O., VAZHIKKADAVU POLICE STATION,
MALAPPURAM DISTRICT.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

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B.A.No. 3823 of 2015

Dated this the 6th day of July, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are said to have committed the offence under Section 498A IPC. The prosecution case is that they subjected the first petitioner's wife to cruelty.

3. Heard.

4. The first petitioner and the first informant have been married only for four months. The allegation is that demanding more dowry, the first petitioner and his co-accused subjected her to cruelty. It appears that restoration of peace in family is not impossible. There is no allegation that the victim sustained any serious injuries. In these circumstances, I am inclined to grant the prayer of the petitioners.

In the result, this application is allowed.

1) The petitioners shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this

case.

2) They shall appear before the Investigating Officer for interrogation if they are so required by him in writing.

3) They shall not destroy or tamper with evidence.

4) They shall not harass the de facto complainant or her relatives, nor shall they contact or communicate with her or enter her residential premises.

If the petitioners surrender before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

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

DST

//True copy//

P.A. To Judge