

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

Bail Appl.No. 4385 of 2015

CRIME NO. 526/2014 OF VAZHAKKAD POLICE STATION, MALAPPURAM
.....

PETITIONER(S)/ACCUSED NO.3:

**PASHARAF,
S/O. HASSANKUTTY, RAHMATH MANZIL, RAMANATTUKARA,
KOZHIKODE, PIN - 673 633**

BY ADV. SRI.M.H.HANIS

RESPONDENT(S)/COMPLAINANT:

- 1. THE SUB INSPECTOR OF POLICE, VAZHAKKAD,
MALAPPURAM DISTRICT, PIN - 673 635.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM**

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
28-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.4385 of 2015

Dated this the 28th day of July 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.526 of 2014 of Vazhakkad Police station registered for the offences under Secs.354, 406 and 498A read with Sec.34 of the Indian Penal Code. He is a friend of the 1st accused who is the husband of the victim. The prosecution case is that the accused misappropriated the victim's properties, subjected her to cruelty and outraged her modesty.

3. Heard both sides.

4. This case has arisen out of a family dispute. It appears that custodial interrogation of the petitioner is not necessary for effective investigation. So I am inclined to grant the prayer of the petitioner.

In the result, the bail 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) The petitioner shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

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

5) The petitioner shall not enter the house in which the first informant is residing.

6) The petitioner shall not contact or communicate with the first informant, except with the permission of the trial court concerned.

7) The petitioner shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

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

9) The petitioner shall co-operate with investigation of the case.

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

/ True Copy /

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P.A. To Judge