

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

Bail Appl..No. 4655 of 2015 ()

**CRIME NO. 429/2015 OF OONNUKAL POLICE STATION,
ERNAKULAM DISTRICT**

PETITIONERS/ACCUSED 2 TO 4 :

- 1. MOHAMMED, AGED 60 YEARS, S/O. MYTHEEN,
MALAIKUDYIL HOUSE, NELLIMATTOM P.O.,
ERNAKULAM DISTRICT.**
- 2. RASHEEDA, AGED 56 YEARS,
W/O. MOHAMMED, MALAIKUDYIL HOUSE,
NELLIMATTOM P.O., ERNAKULAM DISTRICT.**
- 3. SUDHEER, AGED 38 YEARS,
S/O. MOHAMMED, MALAIKUDYIL HOUSE,
NELLIMATTOM P.O., ERNAKULAM DISTRICT.**

**BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P**

RESPONDENTS/COMPLAINANT & STATE :

- 1. SUB INSPECTOR OF POLICE
OONNUKAL POLICE STATION
ERNAKULAM DISTRICT - 686 691.**
- 2. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KEALA, ERNAKULAM, KOCHI - 682 031.**

R1 & R2 BY PUBLIC PROSECUTOR SRI. GIKKU JACOB

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.4655 of 2015

Dated this the 7th day of August 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.429 of 2015 of Oonnukal Police station registered for the offences under Secs.406 and 498A of the Indian Penal Code. They are accused nos.2 to 4. The first accused is the husband of the victim and the petitioners are his parents and brother. The prosecution case is that they subjected the victim to cruelty and misappropriated her properties.

3. Heard both sides.

4. The prosecution has no case that the victim sustained any serious injuries. It appears that bringing back harmony to the family is not impossible. So I am inclined to grant the prayer of the petitioners.

In the result, the bail application is allowed.

1) The petitioners shall be released on bail after interrogation 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) The petitioners shall appear before the Investigating Officer for interrogation if they are so required by him in writing.

3) They shall surrender their passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

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

5) They shall not harass the first informant.

6) They shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.

7) They shall not intimidate or attempt to influence the witnesses.

8) They 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.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A. To Judge