

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

Bail Appl..No. 4894 of 2015 ()

CRIME NO. 355/2015 OF KUDIYANMALA POLICE STATION , KANNUR DISTRICT

PETITIONER/ACCUSED:

**SHIBU JOSEPH, S/O.JOSEPH, AGED 42 YEARS,
ILLIPUTHETTU HOUSE, ERUVESSI P.O.,
KOOTTAKKALAM, ERUVESSI AMSOM, TALIPARAMBA TALUK,
KANNUR DISTRICT.**

**BY ADVS.SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI
SRI.J.ABHILASH**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA THROUGH S.H.O.
KUDIYANMALA POLICE STATION,
KANNUR DT.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

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B.A.No. 4894 of 2015

Dated this the 18th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No. 355 of 2015 of Kudiyanmala Police Station. He is said to have committed the offences under Sections 323, 324 and 498A of the Indian Penal Code.

3. The Prosecution case is that he assaulted his wife and subjected her to cruelty.

4. Heard.

5. The petitioner and the victim have been married for 14 years. They have three children. He has a complaint that she is not beautiful. On 12.07.2015, he assaulted her with a piece of wood and twisted her hand, which resulted in the dislocation of her shoulder joint. This is the prosecution case.

6. The facts disclose that the petitioner assaulted the victim in a very cruel manner. They are now living separately. It is not proper to grant him anticipatory bail.

In the result, this application is dismissed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge