

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

Bail Appl..No. 4919 of 2015 ()

CRIME NO. 1507/2015 OF FORT POLICE STATION, THIRUVANANTHAPURAM DIST.

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PETITIONER/A5:

**REJITHA, AGED 33 YEARS,
D/O.VASUDEVAN, CHARUMUTTUVILA VEEDU,
MANACAUD VILLAGE, KARAMANA,
THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED.

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED THROUGH THE SUB INSPECTOR OF POLICE,
FORT POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

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B.A.No. 4919 of 2015

Dated this the 20th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.1507 of 2015 of Fort Police Station, Thiruvananthapuram registered for the offences under Sections 143, 147, 148, 120B, 341, 323, 324, 326, 506(ii) read with Section 149 of the Indian Penal Code.

3. The victim is her husband. According to the prosecution, she eloped with the first accused and at her instigation the other accused along with her came to the place of occurrence in an autorikshaw and assaulted him with a stone causing fracture of his nasal bone and other injuries.

4. Heard.

5. Learned counsel submits that the allegations are false. According to him, if the accused had any intention to assault the victim they would have certainly carried some weapons. But, the prosecution has no such case. It appears that there is some weight in the submission. At any rate, the attack was not a preplanned one. Having regard to these facts, I am inclined to

grant the prayer of the petitioner.

In the result, this application is allowed.

- 1)The petitioner shall be released on bail 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 surrender her passport before the lower court concerned or if she does not have one, she shall file an affidavit to that effect within five days of her release.*
- 3)She shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.*
- 4)She shall appear before the Investigating Officer between 10 a.m. and 11 a.m. on every alternate Wednesdays for three months or till the final report is filed, whichever is earlier.*
- 5)She shall not intimidate or attempt to influence the witnesses.*
- 6)She shall not destroy or tamper with evidence.*
- 7)She shall not get herself involved in any other criminal case while she is on bail.*
- 8)She shall co-operate with investigation of the case.*

If the petitioner surrenders 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