

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

Bail Appl..No. 4992 of 2015 ()

CRIME NO. 937/2015 OF KORATTY POLICE STATION, THRISSUR DISTRICT.

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PETITIONERS/ACCUSED 1 TO 2:

- 1. DAVIS, S/O. EPHRAIM,
AGED 58 YEARS, VELIYATH HOUSE,
KORATTY WEST ANGADY, MURINGOOR,
THEKKUMURY VILLAGE, THRISSUR DISTRICT.**
- 2. CHERIYA, S/O. EPHRAIM,
AGED 49 YEARS, VELIYATH HOUSE,
KORATTY WEST ANGADY, MURINGOOR,
THEKKUMURY VILLAGE, THRISSUR DISTRICT.**

BY ADV. SRI.T.N.MANOJ.

RESPONDENT(S):

**STATE OF KERALA,
THROUGH SUB INSPECTOR OF POLICE,
KORATTY POLICE STATION, THRISSUR DISTRICT,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

B.A. No.4992 of 2015

Dated this the 21st day of August 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.937 of 2015 of Koratty Police station registered for the offences under Secs.420 and 498A read with Sec.34 of the Indian Penal Code. The first petitioner is the husband of the first informant and the 2nd petitioner is his brother. The allegation is that they subjected the first informant to cruelty and cheated her in relation to a jointly owned property.

3. Heard both sides.

4. There is no allegation that the first informant sustained any serious injuries. The dispute with regard to the property is to be determined by the Civil Court. The 1st petitioner, husband is aged about 60 years. Having regard to all these facts, I think it is only proper that the petitioners prayer is granted.

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

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

5) He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

6) He shall not intimidate or attempt to influence the witnesses.

7) He 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