

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

Bail Appl..No. 4993 of 2015 ()

CRIME NO. 719/2015 OF SOORANAD POLICE STATION, KOLLAM DISTRICT

PETITIONER/ACCUSED:

**SAJINI, AGED 31 YEARS,
W/O.VINOD, THRIVENI, ANAYADI MURI,
SOORANAD NORTH VILLAGE, KUNNATHOOR THALUK,
KOLLAM DISTRICT.**

BY ADV. SRI.P.V.DILEEP

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE,
SOORANAD POLICE STATION, KOLLAM DISTRICT.**

BY PUBLIC PROSECUTOR SMT. BINDU GOPINATH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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RAJA VIJAYARAGHAVAN.V. J

B.A.4993 of 2015

Dated 14th October, 2015

ORDER

1. This is an application for pre-arrest bail filed u/s 438 of the Code of Criminal Procedure.
2. Petitioner is the 4th accused in crime No.719 of 2015 of Sooranad police station which is registered for offence punishable u/s 143, 147, 148, 447, 323, 324, 120A r/w S.149 of the IPC.
3. The allegation as per the earlier records is that on 4.6.2015 at 10.30 pm, three persons came on a motor bike and entered into the compound of the de facto complainant's house and thereafter assaulted him with an iron pipe and caused injuries.
4. I have heard the learned counsel for the petitioner as well as the learned Public Prosecutor.

5.The learned counsel for the petitioner submitted that, a perusal of the FIR would reveal that the allegations are all centered around accused Nos.1 to 3. It was later that the de facto complainant, who is the brother of her husband, has raised false allegation as against her , pursuant to which , fresh report was filed implicating the petitioner as accused No.4. There is no allegation against the petitioner as per the earliest records.

6.After having considered the rival submissions and the nature and gravity of the allegations, I am of the considered view that anticipatory bail can be granted to the petitioner by imposing appropriate conditions.

7.In the result, this application is allowed , but subject to the following conditions:

- i). The petitioner shall be released on bail after interrogation on her executing

a bond for 25,000/-, with two solvent sureties each for the like sum, if she is arrested by the police in connection with this case.

ii). The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

iii). The petitioner shall make herself available for interrogation as and when required by the investigating officer.

iv). The petitioner shall not influence or intimidate the prosecution witnesses or make any attempt to tamper with the evidence.

v). The petitioner shall not commit any offence while on bail.

vi). In case of violation of any of the above conditions, the jurisdictional magistrate shall be empowered to cancel the bail in accordance with law.

This application is allowed as above.

Sd/-
RAJA VIJAYARAGHAVAN.V.
Judge

MrCs

//True copy//

P.S. To Judge