

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

Bail Appl..No. 5123 of 2015 ()

**CRIME NO. 320/2015 OF NEDUMBASSERY POLICE STATION,
ERNAKULAM DISTRICT**

PETITIONER/ACCUSED :

**SUBAIDA, AGED 50 YEARS,
WIFE OF MR. ALI, MULLASSERY HOUSE, NEDUVANNOOR,
CHOVVARA POST, ERNAKULAM DISTRICT PIN 683571**

**BY ADVS.SRI.SHAJI CHIRAYATH
SMT.JIJI M. VARKEY
SMT.SAVITHA GANAPATHIYATAN
SRI.M.M.SHAJAHAN**

RESPONDENTS/STATE & DEFACTO COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY DIRECTOR GENERAL OF PROSECUTIONS,
HIGH COURT OF KERALA
ERNAKULAM DISTRICT PIN 682 031**
- 2. INSPECTOR OF POLICE
NEDUMBASSERY POLICE STATION, NEDUMBASSERY (PO)
ERNAKULAM DISTRICT PIN 683585**
- 3. SABINSHA, AGED 23 YEARS,
DAUGHTER OF MR. ABDUL SALAM, ANJILIMOOTIL HOUSE,
ALUVA (PO), ERNAKULAM DISTRICT PIN 683101**

R1 & R2 BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02-09-2015 ALONG WITH BA 5132/2015 & BA 5131/2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

bp

A. HARIPRASAD, J.

**Bail Appl. Nos.5123, 5131
and 5132 of 2015**

Dated this the 2nd day of September 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. Petitioners are accused in Crime No.320 of 2015 of Nedumbassery Police station registered for the offences punishable under Secs.498A and 406 read with Sec.34 of the Indian Penal Code.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. Learned counsel for the petitioners submitted that the case arose out of a private complaint filed by the defacto complainant against her husband and relatives. It is also submitted that anticipatory bail application filed by the 1st and 2nd accused have been allowed by this Court.

5. Considering the nature of allegations, I am inclined to grant the prayer of these petitioners also.

In the result, the bail applications are allowed.

1. In the event of arrest of the petitioners in Crime No.320 of 2015 of Nedumbassery Police station, they shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

2. The petitioners shall appear before the investigating officer as and when required for interrogation.

3. They shall not intimidate or influence the witnesses.

If any of the above conditions is violated by the petitioners, the learned Magistrate having jurisdiction is free to cancel the bail in accordance with law for which the investigating officer may move application.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

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P.A. To Judge