

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

Bail Appl..No. 5152 of 2015 ()

**CRIME NO. 1050/2014 OF AYIROOR POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/1ST ACCUSED :

**JOJI SHAMSUDEEN, AGED 39 YEARS,
S/O. SHAMSUDEEN, KHADEEJA MANSON, VENKULAM,
EDAVA P.O., THIRUVANANTHAPURAM.**

**BY ADVS.SRI.M.RAJENDRAN NAIR
SMT.M.SANTHY**

RESPONDENT :

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

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A. HARIPRASAD, J.

Bail Appl. No.5152 of 2015

Dated this the 3rd day of September 2015

O R D E R

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

2. Petitioner is the 1st accused in Crime No.1050 of 2014 of Ayiroor Police station registered for the offences punishable under Secs.498A read with Sec.34 of the Indian Penal Code. The prosecution case is that the petitioner married the defacto complainant on 23.07.2006 and while they are living together, he misappropriated the ornaments belonging to the defacto complainant and treated her cruelly.

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

4. Learned Public Prosecutor submitted that final report has already been filed in this case.

5. Considering the nature of allegations, I am of the view that custodial interrogation of the petitioner is not necessary. So, I am inclined to grant bail to the petitioner with the following conditions.

i. The petitioner shall appear before the learned Magistrate having jurisdiction in this matter and execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Court as and when directed without any breach.

iv. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

In case of violation of any of the above conditions, the Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /
P.A. To Judge