

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

Bail Appl..No. 5381 of 2015 ()

CRIME NO. 1179/2015 OF KADAVANTHRA POLICE STATION, ERNAKULAM DISTRICT

PETITIONERS/ACCUSED :

**1. RONY ABRAHAM
AGED 34 YEARS, S/O.BIJI ABRAHAM,
RAJANAGARI HOUSE, ERUMELI P.O.
KOTTAYAM.**

**2. BIJI ABRAHAM
AGED 65 YEARS, S/O.ABRAHAM,
RAJANAGARI HOUSE
ERUMELI P.O., KOTTAYAM.**

**3. SHEEBA BIJI
AGED 55 YEARS, W/O.BIJI ABRAHAM,
RAJANAGARI HOUSE
ERUMELI P.O., KOTTAYAM.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN
SRI.V.VINAY**

RESPONDENTS/STATE :

**1. STATE OF KERALA
REP. BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM -682 031
(CRIME NO.1179/2015 OF KADAVANTHRA POLICE STATION
ERNAKULAM DISTRICT)**

**2. STATION HOUSE OFFICER
KADAVANTHRA POLICE STATION
ERNAKULAM DISTRICT -682 020
(CRIME NO.1179/2015 OF KADAVANTHRA POLICE STATION
ERNAKULAM DISTRICT)**

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

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.5381 of 2015

Dated this the 4th day of September, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused 1 to 3 in Crime No.1179 of 2015 of Kadavanthra Police Station registered under Section 498A read with Section 34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act. First petitioner is the husband of the defacto complainant and other petitioners are the parents of the first petitioner. It is alleged that after marriage between the defacto complainant and the first petitioner on 18.07.2015 the petitioners harassed her for money and dowry.

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

4. Considering the nature of allegations, I am of the view that custodial interrogation is not necessary in this matter. In the result, the petition is allowed with the following directions:

i. Petitioners shall appear before the investigating officer within a period of two weeks and submit themselves for interrogation. Thereafter each one of them shall execute a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to

the satisfaction of the investigating officer. In that event, they shall be released on bail in Crime No.1179 of 2015 of Kadavanthra Police Station.

ii. Petitioners shall appear before the Investigating Officer as and when directed for the purpose of investigation in the matter.

iii. They shall not influence or intimidate the witnesses.

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

A. HARIPRASAD, JUDGE.

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