

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

Bail Appl..No. 5623 of 2015

**CRIME NUMBER NOT KNOWN OF KAYAMKULAM POLICE STATION,
ALLEPPY DISTRICT.**
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PETITIONER(S)/ACCUSED:

1. VINEETH .V, AGED 28 YEARS,
S/O.VISWANATHAN @ RAJAPPAN,
PERIYAKAVIL (H), THEKKUMBHAGAM,
TRIPUNITHURA P.O., PIN - 682 031, ERNAKULAM.
2. VISWANATHAN @ RAJAPPAN, S/O.SUBRAMANIAN,
AGED 61 YEARS, PERIYAKAVIL (H), THEKKUMBHAGAM,
TRIPUNITHURA P.O., PIN - 682 031, ERNAKULAM.
3. LALITHA P.S., W/O.VISWANATHAN @ RAJAPPAN,
AGED 56 YEARS, PERIYAKAVIL (H),
THEKKUMBHAGOM, TRIPUNITHURA P.O.PIN - 682 031,
ERNAKULAM.
4. MANU V, S/O.VISWANATHAN @ RAJAPPAN,
AGED 26 YEARS, PERIYAKAVIL (H), THEKKUMBHAGOM,
TRIPUNITHURA P.O., PIN - 682 031, ERNAKULAM.

**BY ADVS.SRI.T.K.RAJESHKUMAR
SMT.T.N.BINDU**

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.
2. S.I OF POLICE, POLICE STATION,
KAYAMKULAM POLICE STATION,
ALLEPPY DISTRICT - 690 582.

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B.SUDHEENDRA KUMAR, J.

B.A. No. 5623 of 2015

Dated this the 18th day of September, 2015

ORDER

The petitioner nos. 1 and 3 are respectively accused nos. 1 and 2 in Crime No.3118/2015 of Kayamkulam Police Station registered under Section 498 A r/w 34 IPC.

2. The petitioners have filed this application under Section 438 Cr P.C.

3. Heard. The learned Public Prosecutor has no serious objection in allowing this application.

4. The 1st petitioner is the husband and the 3rd petitioner is the mother-in-law of the de-facto complainant. Considering the facts and circumstances of the case, including the nature of allegation raised against the petitioners, I am of the view that custodial interrogation of the petitioners is not necessary for the progress of investigation of this case. In the said

circumstances, I am inclined to allow this petition as regards petitioner nos. 1 and 3. However, the petitioner nos. 2 and 4 are not accused in the above said crime. Therefore, the application as regards petitioner nos. 2 and 4 is liable to be dismissed.

5. In the result, this application stands dismissed as regards the 2nd and the 4th petitioners and allowed as regards the 1st and the 3rd petitioners and the respondents are directed to release the petitioner nos. 1 and 3 on bail, in the event of their arrest in crime no.3118/2015 of Kayamkulam Police station on condition of each of the petitioners executing a bond for Rs.30,000/-(Rupees thirty thousand only)each, with two solvent sureties each, each for the like sum to the satisfaction of the 2nd respondent, before whom the revision petitioner shall surrender within 15 days, if not already arrested, and subject to the following further conditions:

- 1) The petitioner nos. 1 and 3 shall report before the investigating officer as and when

required by the investigating officer in writing.

2) The petitioners shall not get involved in any offence while on bail.

3) The petitioners shall not intimidate or influence the witnesses or in any way tamper with the investigation.

Sd/-
B.SUDHEENDRA KUMAR
JUDGE

//TRUE COPY//

P.A.TO JUDGE

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