

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

Bail Appl..No. 5797 of 2015 ()

CRIME NO. 1058/2015 OF PAYYANNUR POLICE STATION , KANNUR DISTRICT

PETITIONER(S)/ACCUSED NO 1 TO 6:

1. JITHESH PODUVAL, AGED 31 YEARS,
S/O. PADMANABHAN PODUVAL, 'NANDANAM, NEAR ROTARY BHAVAN,
KELOTH ,PAYYANUR P.O., PAYYANUR, KANNUR DISTRICT.
2. PADMANABHAN PODUVAL, AGED 65 YEARS,
'NANDANAM, NEAR ROTARY BHAVAN, KELOTH,
PAYYANUR P.O., PAYYANUR, KANNUR DISTRICT
3. SHYAMALA, AGED 59 YEARS,
W/O. PADMANABHAN PODUVAL, 'NANDANAM,
NEAR ROTARY BHAVAN, KELOTH , PAYYANUR P.O., PAYYANUR,
KANNUR DISTRICT.
4. SHAJU, AGED 34 YEARS,
S/O. PADMANABHAN PODUVAL, 'NANDANAM',
NEAR ROTARY BHAVAN, KELOTH , PAYYANUR P.O., PAYYANUR,
KANNUR DISTRICT.
5. SEEMA, AGED 30 YEARS,
W/O. SHAJU, 'NANDANAM, NEAR ROTARY BHAVAN,
KELOTH , PAYYANUR, P.O.PAYYANUR, KANNUR DISTRICT
6. BHARATHI PULINATH, AGED 60 YEARS,
CHEMENCHERI HOUSE, ADUTHILA, PAYANGADI P.O.,
KANNUR DISTRICT

BY ADV. SRI.M.V.AMARESAN

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN -682 031**

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A.HARIPRASAD, J.

B.A. No.5797 of 2015

Dated this the 29th day of September, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused in Crime No.1058 of 2015 of Payyannur Police Station registered for an offence punishable under Section 498A of the Indian Penal Code.

3. The defacto complainant filed a complaint before the Magistrate having jurisdiction which was forwarded for investigation. First petitioner is the husband of the defacto complainant. Petitioners 2 and 3 are the in-laws of the defacto complainant. Fourth petitioner is the brother-in-law. Fifth petitioner is the wife of fourth petitioner and sixth petitioner is the sister of second petitioner. Allegation against the petitioners is that they harassed the defacto complainant.

After hearing the learned counsel on both sides, I am of the view that custodial interrogation of the petitioners is not necessary. Hence the following order is passed:

i. Petitioners shall surrender 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.1058 of 2015 of Payyannur Police Station.

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

iii. Petitioners shall appear before the Investigating Officer as and when directed in writing and co-operate with the investigation in the matter.

iv. They shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the officer concerned is free to arrest the petitioners as if no order is passed.

A. HARIPRASAD, JUDGE.

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