

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

Bail Appl..No. 5872 of 2015

CRIME NO. 770/2015 OF RAMAPURAM POLICE STATION, KOTTAYAM
.....

PETITIONER(S)/ACCUSED:

**JOHNSON JOSEPH, AGED 42,
S/O.M.C.JOSEPH, MUNDAKKAL HOUSE, MARANGAD KARA,
PISHAKU P.O., KOTTAYAM DISTRICT, PIN - 686 655.**

BY ADV. SRI.BOBBYMATHEW KOOTHATTUKULAM

RESPONDENT(S)/STATE, THE COMPLAINANT & THE DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
RAMAPURAM POLICE STATION, RAMAPURAM,
KOTTAYAM DISTRICT - 686 506.**
- 3. SEENA JOSEPH,
D/O.JOSEPH GEORGE, PALLIYALIL HOUSE, ENCHIYANI KARA,
ENCHIYANI PO, MUNDAKKAYAM, KOTTAYAM DISTRICT,
PIN - 686 512.**

R1 & R2 BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
01-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD, J.

B.A. No.5872 of 2015

Dated this the 1st day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.770 of 2015 of Ramapuram Police Station registered for an offence punishable under Section 498A I.P.C.

3. Prosecution case, in short, is that petitioner is the husband of the defacto complainant. Their marriage was on 16-09-2004. It is alleged that thereafter he treated her cruelly.

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

5. Learned counsel for the petitioner submitted that they are living separately for the last two years. All the allegations against him are false. Petitioner has filed a divorce petition before the concerned Family Court. Considering the relationship between the parties and the nature of allegations,

following directions are made :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, the petitioner shall be released on bail on executing 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 Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency.
3. Petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-

**A.HARIPRASAD,
JUDGE.**

amk

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P.A to Judge