

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Bail Appl..No. 5916 of 2015 ()

CRIME NO. 1465/2015 OF KANNUR TOWN POLICE STATION, KANNUR DISTRICT.

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PETITIONER/ACCUSED:

**ANOOP. K., S/O LATE KANNAN,
AGED 45 YEARS, DRIVER, PADIYIL HOUSE,
P.O. KOTTALI, KANNUR DISTRICT.**

BY ADV. SRI.V.RAMKUMAR NAMBIAR.

RESPONDENTS/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE STATION HOUSE OFFICER,
KANNUR TOWN POLICE STATION,
KANNUR DISTRICT-670 001.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.5916 of 2015

Dated this the 8th day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.1465 of 2015 of Kannur Town Police Station registered for an offence punishable under Section 498A of the Indian Penal Code.

3. The defacto complainant is the father-in-law of the petitioner. It is alleged that the petitioner treated his wife cruelly and the petitioner's wife is presently an accused in Crime No.1216 of 2015 registered by the same Police for offences punishable under Sections 302 and 309 of the Indian Penal Code. Allegation in Crime No.1216 of 2015 is that petitioner's wife jumped into a well with a small child, which resulted in the death of the child.

4. Heard both sides.

There is no allegation that the petitioner was directly instrumental for the offences involved in Crime No.1216 of 2015. Considering the fact that the allegation against the petitioner falls squarely under Section 498A of the Indian Penal Code. Pre-arrest bail is granted to

the petitioner with the following conditions:

i. In the event of arrest in Crime No.1465 of 2015 of Kannur Town Police Station, the petitioner shall be released on bail on executing 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.

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

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

iv. He 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 petitioner as if no order is passed.

A. HARIPRASAD, JUDGE.

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