

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

Bail Appl..No. 5941 of 2015

CRIME NO. 1337/2014 OF KOLLENGODE POLICE STATION, PALAKKAD.
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PETITIONER/SECOND ACCUSED:

**THANKAMANI, W/O.ARUCHAMI, AGED 58 YEARS,
RESIDING AT CHENNIYAM PALLAM,
VADAVANNUR VILLAGE, CHITTUR TALUK,
PALAKKAD DISTRICT.**

**BY ADVS.SRI.BINOY VASUDEVAN
SMT.P.G.BABITHA**

RESPONDENT(S)/STATE:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
KOLLANGODE POLICE STATION,
PALAKKAD DISTRICT - 678 101.**

BY PUBLIC PROSECUTOR SMT.BINDU GOPINATH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

RAJA VIJAYARAGHAVAN V, J.

B.A.No.5941 of 2015

Dated this the 14th day of October, 2015

O R D E R

This is an application for anticipatory bail filed under S.438 of the Code of Criminal Procedure.

2. The petitioner is the second accused in Crime No.1337/2014 of the Kollengode Police Station. The said crime has been registered under S.498A and S.306 of IPC.

3. The allegation is that on 16.11.2014 at 9.00 a.m., Vanaja, the daughter in law of the petitioner had committed suicide by hanging at the matrimonial home.

4. I have heard the learned counsel appearing for the petitioner as well as the learned Public Prosecutor.

5. It is submitted by the learned counsel for the petitioner that she is totally innocent of the allegations and she has been included in the array of accused at a later stage. It is pointed out that as per earlier records, the prosecution had no case that the petitioner had any role in subjecting deceased Vanaja to any form of harassment. All the allegations were centered against her son, the first accused. According to the learned counsel, it was much later when the investigation was taken over by the Deputy Superintendent of Police, Alathur that additional statements were recorded and the petitioner was implicated as the second accused in the crime.

6. I have perused the case diary and the materials contained therein do not reveal that there were any specific allegation as against the second accused in the earliest records. Moreover, the petitioner is aged 53 years old and I do not think that in the facts and circumstances, custodial interrogation of the petitioner is required.

7. After having considered the rival submissions, the nature and gravity of the allegations, the antecedents of the petitioner and the stage of investigation, I am of the considered view that anticipatory bail can be granted to the petitioner by imposing appropriate conditions.

In the result, this application is allowed, but subject to the following conditions:

- i). The petitioner shall be released on bail after interrogation on her executing a bond for 25,000/- with two solvent sureties for the like sum if she is arrested by the Police in connection with this case.
- ii). The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the court or to any police officer.
- iii). The petitioner shall make herself available for interrogation as and when

required by the investigating officer.

iv). The petitioner shall not influence or intimidate the prosecution witnesses or attempt to tamper with the evidence for the prosecution.

v). The petitioner shall not commit any similar offence while on bail.

vi). In case of violation of any of the above conditions, the jurisdictional magistrate shall be empowered to cancel the bail in accordance with law.

This application is allowed as above.

Sd/-
**RAJA VIJAYARAGHAVAN V,
JUDGE.**

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[True copy]

P.A to Judge