

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

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

Bail Appl..No. 6277 of 2015 ()

**CRIME NO. 781/2015 OF ELATHUR POLICE STATION,
KOZHIKODE DISTRICT**

PETITIONERS/ACCUSED :

- 1. SUJAYESH P.T., AGED 31 YEARS,
S/O. NANARDHANAN, NADUVAYALIL HOUSE,
ANNASSERY P.O., KOZHIKODE DISTRICT.**
- 2. SWAPNA, AGED 34 YEARS,
W/O. SANTHOSH KUMAR, MANNODIYOL YUSE,
KARUVISSERY P.O., KOZHIKODE DISTRICT.**
- 3. SANTHOSH KUMAR, AGED 44 YEARS,
S/O. DAMODARAN, MANNODIYOL YOUSE,
KARUVISSERY P.O., KOZHIKODE DISTRICT.**

**BY ADVS.SRI.V.G.ARUN
SRI.T.R.HARIKUMAR
SRI.ADITHYA RAJEEV**

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

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

bp

A.HARIPRASAD, J.

B.A No.6277 of 2015

Dated this the 14th day of October, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioners are apprehending arrest in a non-bailable offence by Elathur Police. The said Police registered Crime No.781/2015 under Sections 306, 406 and 304(B) of I.P.C. It is the allegation that wife of the first petitioner committed suicide by hanging on 10-09-2014 on the date of their first wedding anniversary.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. Learned Public Prosecutor submitted that the petitioners are not made accused in the crime. Therefore, pre-arrest bail cannot be granted as they are not accused in the case. In case, they are made accused, the Investigating Officer shall

issue notice to them under Section 41A Cr.P.C in this matter.

With this observation, the bail application is closed.

amk

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge