

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

Bail Appl..No. 6469 of 2014

**CRIME NO. 343/2014 OF AYIROOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**
.....

PETITIONER/ACCUSED NO.I:

**SUDHAKARAN, AGED 66 YEARS,
S/O.VELAYUDHAN, V.S.BHAVAN,
KARIMPALLOOR, PUTHENKULAM P.O.,
KOLLAM DISTRICT.**

BY ADV. SRI.M.L.SURESH KUMAR

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**

BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

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B.A.No. 6469 of 2014

Dated this the 8th day of July, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 415, 420, 306, 463, 464, 465, 468 and 506 IPC. The petitioner, the co-accused and the deceased are brothers. It is alleged that the petitioner and the co-accused exercised undue influence over the parents and obtained certain properties in their favour. It is further alleged that they tortured the deceased mentally and physically, which led to his suicide.

3. Heard.

4. It is doubtful whether the facts of the case attract Section 306 IPC. Custodial interrogation of the petitioner is not necessary for effective investigation.

In the result, this application is allowed.

1)The petitioner shall be released on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only)with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

- 2)The petitioner shall surrender his passport before the lower court concerned or if he does not have one, he shall file an affidavit to that effect within five days of his release.*
- 3)He shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 4)He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.*
- 5)He shall not intimidate or attempt to influence the witnesses.*
- 6)He shall not destroy or tamper with evidence.*
- 7)He shall not get himself involved in any other criminal case while he is on bail.*

If the petitioner surrender before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge