

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

Bail Appl..No. 6581 of 2015

**CRIME NO. 1497/2015 OF NEDUMANGAD POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**
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PETITIONER(S)/ACCUSED:

- 1. ANZIM, S/O.ASANARU PILLAI,
AGED 35, SHEJINA MANZIL, AYIROOR,
PANGODE VILLAGE, NEDUMANGAD,
THIRUVANANTHAPURAM DISTRICT.**
- 2. ASANARU PILLAI, S/O.ALIYAR KUNJU,
AGED 62, SHEJINA MANZIL, AYIROOR,
PANGODE VILLAGE, NEDUMANGAD,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENT(S)/STATE AND COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**
- 2. SUB INSPECTOR OF POLICE,
NEDUMANGAD POLICE STATION,
THIRUVANANTHAPURAM DISTRICT - 695101.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

RAJA VIJAYARAGHAVAN.V. J

B.A.6581 of 2015

Dated 30th October, 2015

ORDER

1.The petitioners who are son and father respectively, are arrayed as accused Nos.1 and 2 in crime No.1497 of 2015 of Nedumangad police station. The said crime has been registered alleging commission of offence punishable u/s 323, 341, 354 and 498A of the IPC.

2.The prosecution allegation is that the informant who is none other than the wife of the 1st petitioner was subjected to matrimonial cruelty by the petitioners. It is further alleged that on 19.9.2015 at 12.00 am petitioners had assaulted the informant and caused injuries.

3.I have heard the learned counsel appearing for the

petitioners as well as the learned Public Prosecutor.

4.It is submitted by the learned counsel appearing for the petitioners that the 1st petitioner had married the informant in the year 2009 and they have a child in the said wedlock. There are only trivial disputes between the parties and if the petitioners are incarcerated in connection with the aforesaid crime,it would lead to disruption of the relationship.

5.After having considered the rival submissions, the nature and gravity of the allegations, the antecedents of the petitioners and the other circumstances, I am of the considered view that anticipatory bail can be granted to the petitioners by imposing appropriate conditions.

6.In the result, this application is allowed, but subject

to the following conditions:

- i). The petitioners shall be released on bail after interrogation on their executing a bond for 25,000/- each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.
- ii). The petitioners 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 petitioners shall make themselves available for interrogation as and when required by the investigating officer.
- iv). The petitioners shall not influence or intimidate the prosecution witnesses or attempt to tamper with the evidence for the prosecution.
- v). The petitioners shall not commit any similar offence while on bail.

vi). The petitioners shall not leave India without the previous permission of the jurisdictional magistrate.

vii). 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

MrCs

//True copy//

P.S. To Judge