

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Bail Appl..No. 6865 of 2015

CRIME NO. 1673/2015 OF VADAKKANCHERRY POLICE STATION, PALAKKAD
.....

PETITIONER(S)/ACCUSED NO.1:

**ABU THAHIR, AGED 38 YEARS,
S/O.ABDULKAREEM, AL AMEEN MANZIL, NELLIYAMPADAM,
PARAVASSERY P.O., VADAKKENCHERY, PALAKKAD.**

**BY ADVS.SRI.PRASUN.S
SRI.PAUL MATHEW (PERUMPILLIL)**

RESPONDENT(S)/COMPLAINANT - STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031,
REPRESENTING S.I. OF POLICE,
VADAKKENCHERRY POLICE STATION.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
25-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD, J.

B.A. No.6865 of 2015

Dated this the 25th day of November, 2015

ORDER

Application for bail under Section 438 of the Code of Criminal Procedure.

2. Petitioner apprehends arrest in Crime No.1673 of 2015 of Wadakkancherry Police Station registered for offences punishable under Sections 323, 341 and 498A of the Indian Penal Code. He seeks pre-arrest bail.

3. Petitioner's wife is the defacto complainant. It is alleged that the petitioner caused hurt to her and harassed her on many occasions.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application contending that the petitioner is involved in another offence booked for offence under Section 376 of the Indian Penal Code.

Considering the nature of allegations in this case and the fact that the marital relationship is still in place, I am of the view that following order will meet the ends of justice:

i. Petitioner shall surrender before the investigating officer within a period of two weeks and submit himself for interrogation.

Thereafter he shall execute 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. In that event, he shall be released on bail in Crime No.1673 of 2015 of Wadakkancherry Police Station.

ii. The sureties shall produce documents to establish their identity and solvency. The investigating officer need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

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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