

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

Bail Appl..No. 6960 of 2015

CRIME NO. 1536/2015 OF TIRUR POLICE STATION , MALAPPURAM DISTRICT

PETITIONER(S)/ACCUSED :

1. HANEEFA, AGED 42 YEARS,
S/O.CHERIYA BAVA, CHERIYA MOIDEENTAKATH HOUSE,
ELARAM BEACH, TANUR, MALAPPURAM DISTRICT.
2. ALIKUTTY, AGED 56 YEARS,
S/O.CHERIYA BAVA, CHERIYA MOIDEENTAKATH HOUSE,
ELARAM BEACH, TANUR, MALAPPURAM DISTRICT.
3. PATHUMOL, AGED 32 YEARS,
D/O. CHERIYA BAVA, YARUKADAVATH HOUSE, KUNDUNGAL,
POST K.PURAM, TANUR, MALAPPURAM DISTRICT.
4. MUNEERA, AGED 29 YEARS,
D/O.CHERIYA BAVA, ELARAKATH HOUSE, ELARAM BEACH,
TANUR, MALAPPURAM DISTRICT.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A. No.6960 of 2015

Dated this the 20th day of November, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused in Crime No.1536 of 2015 of Tirur Police Station registered alleging offences punishable under Section 498A read with Section 34 of the Indian Penal Code. They seek pre-arrest bail.

3. First petitioner is the husband of the defacto complainant and other petitioners are the relatives of husband. The defacto complainant alleged that the accused persons harassed during her stay in the matrimonial home.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application.

Considering the nature of allegations, I do not find any need to have a custodial interrogation. Hence the following order:

i. In the event of arrest in Crime No.1536 of 2015 of Tirur Police Station, petitioners shall be released on bail on each one of the executing 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.

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

iii. Petitioners shall appear before the investigating officer as and when directed and co-operate with the investigation in the matter.

iv. They 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 petitioners as if no order is passed.

A. HARIPRASAD, JUDGE.

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