

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

Bail Appl..No. 6961 of 2015

CRIME NO. 632/2015 OF NATTUKAL POLICE STATION, PALAKKAD
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PETITIONER(S)/ACCUSED NO2 TO 5:

1. MOHAMMED, AGED 56 YEARS,
S/O.POKKER HAJI, MUTHUKUTTY HOUSE, THIRUVIZHAMKUNNU,
MANNARKKAD TALUK, PALAKKAD DISTRICT.
2. MINNATH, W/O.MOHAMMED, AGED 48 YEARS,
MUTHUKUTTY HOUSE, THIRUVIZHAMKUNNU, MANNARKKAD TALUK
PALAKKAD DISTRICT.
3. SHEEBA JASMINE, D/O.MOHAMMED, AGED 33 YEARS,
MUTHUKUTTY HOUSE, THIRUVIZHAMKUNNU, MANNARKKAD TALUK,
PALAKKAD DISTRICT.
4. MOIDUPPA, AGED 60 YEARS,
S/O.POKKAR HAJI, MUTHUKUTTY HOUSE, THIRUVIZHAMKUNNU,
MANNARKKAD TALUK, PALAKKAD DISTRICT.

BY ADVS.SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA

RESPONDENT(S)/STATE:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI - 31.

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
16-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

msv/

A. HARIPRASAD, J.

Bail Appl. No.6961 of 2015

Dated this the 16th day of November 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos.2 to 5 in Crime No.632 of 2015 of Nattukal Police station registered for the offences punishable under Secs.498A, 506(i), 406, 324 and 312 read with Sec.34 of the Indian Penal Code. 1st accused is the husband of the defacto complainant, 2nd and 3rd accused are the father in law and mother in law respectively, 4th accused is the sister in law of the defacto complainant and 5th accused is the brother of the 2nd accused. Prosecution case is that he 1st accused married the defacto complainant and shortly after marriage, he started ill treating her.

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

4. I have perused the case diary. Materials in the case diary shows that the 1st accused had beaten her up severely and her life in gulf countries with the 1st

accused was miserable. Therefore, she returned home. Accused nos.2 and 5 also physically harassed her is the allegation. In So far as the petitioners 2 and 3 are concerned, there is no specific allegation of any harassment.

After hearing the learned counsel on both sides and also perusing the case diary, following directions are issued.

1. Petitioners 1 and 4 shall surrender before the Investigating Officer within a period of two weeks from today and submit themselves for interrogation. After questioning, the Investigating Officer shall produce them before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for regular bail before the learned Magistrate and in that event, the learned Magistrate may consider the application on merits if possible on the date of surrender itself.

2. In the event of arrest in Crime No.632 of 2015 of Nattukal Police station, petitioners 2 and 3 shall be released on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer making the arrest.

3. They shall appear before the Investigating Officer for interrogation as and when directed by him in writing.

4. They shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /