

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. 7029 of 2015

CRIME NO. 801/2015 OF VELLAYIL POLICE STATION, CALICUT

PETITIONER(S)ACCUSED :

**SUDHEESH.C.V., AGED 34 YEARS,
S/O.MANOCHARAN C.V., THODIYIL HOUSE, VELLAYIL,
CALICUT BEACH P.O., CALICUT-673 032.**

BY ADV. SRI.M.S.VINEETH

RESPONDENT(S)/COMPLAINANT & STATE :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-683 031.**
- 2. THE STATION HOUSE OFFICER,
VELLAYIL POLICE STATION (CRIME NO.801/2015),
CALICUT-673 011.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

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

Msd.

A.HARIPRASAD, J.

B.A No.7029 of 2015

Dated this the 16th day of November, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the accused (husband of the defacto complainant) in Crime No.801 of 2015 of Vellayil Police Station registered for offences punishable under Sections 498(A) and 406 r/w Section 34 I.P.C.

3. Prosecution case, in short, is that on 20-12-2012, the petitioner married the defacto complainant and a child was born in their wedlock. Their relationship later became strained. Petitioner along with others subjected the defacto complainant to cruelty and the accused had committed the aforementioned offences.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Learned Public Prosecutor submitted that learned Sessions Judge dismissed the bail application on perusal of the wound certificate that one of the teeth of the defacto complainant was loosened in the attack. Considering the nature of allegations, I

find that bail can be granted to the petitioner with following directions :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, he shall be released on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
2. 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.
3. Petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

**A.HARIPRASAD,
JUDGE.**