

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

Bail Appl..No. 7098 of 2015 ()

CRIME NO. 1220/2015 OF KADIRUR POLICE STATION, KANNUR DISTRICT

PETITIONER/1ST ACCUSED :

**SHUHAIB
S/O.DIRAR HAJI, AGED 23 YEARS
NIDAS HOUSE, KADIRUR AMSOM
PULLIOD DESOM, THALASSERY TALUK.**

**BY ADVS.SRI.K.SIJU
SMT.S.SEETHA**

RESPONDENT :

**STATE OF KERALA
THROUGH THE S.I. OF POLICE
KADIRUR POLICE STATION
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A No.7098 of 2015

Dated this the 17th day of November, 2015.

ORDER

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

2. Petitioner is the first accused in Crime No.1220 of 2015 of Kadirur Police Station registered for offences punishable under Sections 498(A) and 406 r/w Section 34 I.P.C. The case was registered on the basis of a private complaint.

3. Prosecution case, in short, is that after marriage the defacto complainant (wife of the petitioner) was treated cruelly by the petitioner and other accused persons.

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

5. 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.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge

amk