

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

Bail Appl..No. 7114 of 2015 ()

**CRIME NO. 510/2015 OF MANKARA POLICE STATION,
PALAKKAD DISTRICT**

PETITIONERS/ACCUSED 3 AND 4 :

- 1. SUNITHA, AGED 36 YEARS,
W/O. SUYSDARSHANAN, KANNAKARA VALLYAL HOUSE,
MELEPURAM, OLAVAKKAD, PALAKKAD DISTRICT.**
- 2. SUDARSHANAN,
KANNAKARA VALLYAL HOUSE, MELEPURAM,
OLAVAKKAD, PALAKKAD DISTRICT.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
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 10-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A. HARIPRASAD, J.

Bail Appl. No.7114 of 2015

Dated this the 10th day of December 2015

O R D E R

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

2. Petitioners are accused nos.3 and 4 in Crime No.510 of 2015 of Mankara Police station registered for the offences punishable under Secs.498A and 306 read with Sec.34 of the Indian Penal Code.

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

4. Learned Public Prosecutor opposed the bail application. According to her, this is the 2nd application. B.A. No.5507 of 2015 filed by all the four accused was considered by this court and dismissed.

5. Learned counsel for the petitioners submitted that there is change of circumstance. In fact, the petitioners are residing elsewhere and they never resided with the deceased in the matrimonial home, that could not be projected before this Court. Further, 1st and 2nd accused surrendered before the investigating officer

and they were arrested. Later, they were enlarged on bail.

Reckoning the entire facts and circumstances, I am inclined to grant pre arrest bail to the petitioners with the following conditions.

1. The petitioners shall surrender before the investigating officer within a period of two weeks and submit themselves for interrogation.

2. In the event of arrest, the petitioners 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.

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

4. The petitioners 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 /

NS/10/12/2015

P.A. To Judge