

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. 7126 of 2015 ()

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CRIME NO. 1232/2015 OF KONDOTTY POLICE STATION, MALAPPURAM DISTRICT.**

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PETITIONER/ACCUSED NO.1:

**MADATHILKUNNATH BIJESH, S/O.VIJAYAN,
AGED 28 YEARS, KANJIRAMPARAMBU, CALICUT AIRPORT,
KARIPPUR PSL, MALAPPURAM DISTRICT.**

BY ADV. SRI.K.RAKESH.

RESPONDENTS/STATE & COMPLAINANT:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, KOCHI -682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
KONDOTTY POLICE STATION,
MALAPPURAM DISTRICT, PIN -673 638.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

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

rs.

A. HARIPRASAD, J.

Bail Appl. No.7126 of 2015

Dated this the 16th day of November 2015

ORDER

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.1232 of 2015 of Kondotty Police station registered for the offences punishable under Secs.498A and 306 read with Sec.34 of the Indian Penal Code. Prosecution case is that the petitioner's wife committed suicide by hanging on 05.10.2015 in bed room of the matrimonial home.

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

4. Learned counsel for the petitioner submitted that the petitioner is in custody from 11.10.2015 onwards and he may be granted bail.

5. Learned Public Prosecutor submitted that marital bickerings resulted in the death of the wife.

Considering the nature of allegations and the fact that the petitioner is in custody for a long time, bail is granted to the petitioner with the following conditions.

i. The petitioner shall be released on bail on his 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 learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Saturdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall surrender his passport before the Magistrate concerned

or if he do not have the same, file an affidavit to that effect.

vi. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vii. The petitioner shall not involve in any other offence during the period of bail.

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/16/11/2015

P.A. To Judge