

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

Bail Appl..No. 7230 of 2015

**CRIME NO. 791/2015 OF VATTAPPARA POLICE STATION,
THIRUVANANTHAPURAM**

PETITIONER(S)/ACCUSED:

**PRABHA SUDHAN,
AGED 37 YEARS, S/O.RADHAKRISHNAN, BHAVANA NILAYAM,
CRA 96, CHOOZHANPALA, MUKKOLA P.O,
THIRUVANANTHAPURAM-44.**

**BY ADVS.SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No.7230 of 2015

Dated this the 26th 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.791 of 2015 of Vattappara Police Station registered for offences punishable under Sections 323, 354C(2) and 506(i) I.P.C and Section 66 of the Information Technology (Amendment) Act, 2008.

3. Prosecution case, in short, is that the accused was having an illicit connection with one of his relatives. The defacto complainant, his wife resisted that relationship. Accused has committed the offence of voyeurism. He used to take obscene photographs of the private parts of his wife on mobile phone.

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

5. Learned counsel for the petitioner submitted that their relationship is estranged and the complaint is completely false. The

relationship is at present intact. 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 on all Saturdays between 10.00 and 11.00 a.m until final report is filed
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.

amk

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge