

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937

Bail Appl..No. 7367 of 2015 ()

**CRIME NO. 640/2015 OF ARYANCODE POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/ACCUSED :

**ARUN, AGED 25 YEARS,
S/O. RAMACHANDRAN ASSARY, PANAVIDA VEEDU, PAYYAMCODE
KURUTHAMCODE, PARACHAL MURI, KULATHMMAL VILLAGE,
THIRUVANANTHAPURAM DIST.**

**BY ADVS.SRI.S.V.PREMAKUMARAN NAIR
SRI.R.T.PRADEEP**

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.7367 of 2015

Dated this the 24th day of November, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Accused in Crime No.640 of 2015 of Arayankode Police Station registered for offences punishable under Sections 323 and 306 of the Indian Penal Code is the petitioner. He seeks bail. Originally the case was registered under Section 174 of the Code of Criminal Procedure and on investigation, it was revealed that it is a case of suicide.

3. Prosecution case, in short, is that the petitioner was in love with the deceased girl. It is also alleged that they had indulged in sexual relationship on several occasions. While so, one day the accused happened to see a photograph of the deceased along with one Arun Kumar, one of her relatives. The accused got wild and slapped her on cheek. Thereafter he tried to avoid her. And on that mental agony, she committed suicide by hanging in the night intervening 29.08.2015 and 30.08.2015.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner

is in custody from 10.10.2015 onwards. It is also submitted that he is not responsible for the suicide.

Considering the nature of allegations, bail is granted to the petitioner with following conditions:

- i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.
- ii. The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- iii. Petitioner shall appear before the Investigating Officer on all Saturdays between 9.00 and 10.00 a.m until final report is filed.
- iv. He shall not indulge in any offence while on bail.
- vi. He shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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