

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

Bail Appl..No. 7577 of 2015 ()

CRIME NO. 644/2015 OF AMBALAVAYAL POLICE STATION , WAYANAD DISTRICT

PETITIONER/ACCUSED NO.1:

**MASHOOD, S/O. HUSSAIN, AGED 29 YEARS,
PALAYANGARA HOUSE, RIPPON POST,
MUPPAINAD VILLAGE, VYTHIRI TALUK,
WAYANAD DISTRICT.**

BY ADV. SMT.CELINE JOSEPH

RESPONDENT/COMPLAINANT:

**STATE OF KERALA, REPRESENTED BY
STATION HOUSE OFFICER, AMBALAVAYAL POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY SR PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A.HARIPRASAD, J.

B.A No.7577 of 2015

Dated this the 7th day of December, 2015.

ORDER

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

2. Petitioner is the first accused (husband of the defacto complainant) in Crime No.644 of 2015 of Ambalavayal Police Station registered for offences punishable under Sections 498(A) and 323 r/w Section 34 I.P.C.

3. Heard the learned Senior Counsel for the petitioner and the learned Public Prosecutor.

4. The petitioner married the defacto complainant and thereafter he treated her cruelly is the allegation. Considering the fact that the marital relationship is in existence and the nature of allegations, following directions are issued :

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//

PA to Judge

amk