

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYASHTA, 1937

Bail Appl..No. 7944 of 2014 (C)

CRIME NO. 1697/2014 OF KATTAPPANA POLICE STATION, IDUKKI

PETITIONERS/ACCUSED:

1. RATHEESH, AGED 30 YEARS
S/O. RAVI, ARUKANDATHIL HOUSE, NARIAMPARA P.O.
KANJIYAR VILLAGE, IDUKKI.
2. RAVI, AGED 52 YEARS
S/O. VASU, ARUKANDATHIL HOUSE, NARIAMPARA P.O.
KANJIYAR VILLAGE, IDUKKI.

BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN

RESPONDENTS/RESPONDENTS/STATE:

1. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM-682031 (CRIME NO. 1697/2014 OF
KATTAPPANA POLICE STATION
IDUKKI DISTRICT).
2. STATION HOUSE OFFICER
KATTAPPANA POLICE STATION
IDUKKI DISTRICT-685508 (CRIME NO. 1697/2014 OF
KATTAPPANA POLICE STATION
IDUKKI DISTRICT).

BY PUBLIC PROSECUTOR, SHRI RAJESH VIJAYAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

Bail Application No.7944 of 2014

Dated this the 5th day of June 2015

O R D E R

The petitioners are the accused in Crime No.1697 of 2014 of Kattappana Police station registered under Section 498A read with Section 34 of I.P.C. The petitioners have filed this petition praying for the relief under Section 438 Cr.P.C.

2. Heard.

3. The learned Public Prosecutor has no serious objection in allowing this application.

4. The first petitioner is the husband and the second petitioner is the father-in-law of the *defacto complainant*.

Considering the facts and circumstances, including the nature of allegations raised against the petitioners and the relationship between the parties, I am of the view that custodial interrogation of the petitioners is not necessary for the progress of investigation of the case. In the said circumstances, an order under Section 438 Cr.P.C. in favour of the petitioners will be justified in this case.

In the result, this application stands allowed and the respondents are directed to release the petitioners on bail in the event of their arrest in Crime No.1697 of 2014 of Kattappana Police Station, on condition of each of the petitioners executing a bond for Rs.30,000/- (Rupees thirty thousand only) each with two solvent sureties each, each for the like sum to the satisfaction of the Sub Inspector of Police, Kattappana police station, before whom the petitioners shall surrender within ten days and subject to the following conditions.

- (i) The petitioners shall report before the Investigating Officer as and when required by the

Investigating Officer for interrogation.

(ii) The petitioners shall not intimidate or influence the witnesses or in any way tamper with the investigation.

(iii) The petitioners shall not get involved in any offence during the pendency of this case.

sd/

**B.SUDHEENDRA KUMAR,
JUDGE**

dl

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PA TO JUDGE