

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

Bail Appl.No.8095 of 2015 ()

IN CRIME NO.1763/2015 OF EZHUKONE POLICE STATION, KOLLAM

PETITIONER(S)/ACCUSED A3:

VIJAYAMMA, AGED 58 YEARS,
W/O.RAVEENDRAN PILLAI,
ADWAITHAM, IRUMPANANGADU MURI,
EZHUKONE VILLAGE,
KOTTARAKARA TALUK,
KOLLAM DISTRICT.

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR MS.R.REMA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
22-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SS

K. RAMAKRISHNAN, J.

Bail Application No.8095 of 2015

Dated this the 22nd day of December, 2015

O R D E R

This is an application for anticipatory bail filed by the 3rd accused in Crime No.1763/2015 of Ezhukone Police Station of Kollam District under Section 438 of the Code of Criminal Procedure.

2. The above case was registered on the basis of the statement given by the defacto-complainant, the wife of the first accused against the husband, sister and mother of the husband, alleging commission of offence under Section 498A read with Section 34 of the Indian Penal Code. The only allegation was that, at the instigation of the present petitioner, the other accused persons were causing physical torture.

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

4. Considering the nature of offence and also considering the fact that it is a matrimonial offence, this court feels that custodial interrogation of the petitioner is

not required and anticipatory bail can be granted to the petitioner with the following conditions:

i. If the petitioner is arrested in connection with the above crime, then the investigation officer is directed to release the petitioner on bail on executing a bond for ₹25,000/- with two solvent sureties for the like sum each to the satisfaction of the investigating officer/ arresting officer as the case may be and on further condition the petitioner shall appear before the investigation officer for two consecutive days for interrogation between 9.00 a.m., and 11.00 a.m. and thereafter as and when required in writing to do so, till the final report is filed.

ii. The petitioner shall not intimidate or influence the witnesses.

iii. If the petitioner surrenders before the concerned magistrate court and move for regular bail, then the learned magistrate is directed to release the petitioner on bail on the same conditions as stated above.

With the above directions and conditions, the bail application is disposed of.

Sd/-

K. Ramakrishnan, Judge

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P.A. to Judge