

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

TUESDAY, THE 29TH DAY OF DECEMBER 2015/8TH POUSHA, 1937

Bail Appl..No. 8290 of 2015 ()

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CRIME NO. 1200/2015 OF MALA POLICE STATION.**

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PETITIONER/ACCUSED:

**SURESH, AGED 45 YEARS,
S/O. VELAYUDHAN, VATTAPARAMBIL HOUSE,
ANNALLUR DESOM, ANNALLUR VILLAGE,
THRISSUR DISTRICT.**

BY ADV. SRI.DENNY DEVASSY.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REP. BY SUB INSPECTOR OF POLICE,
MALA POLICE STATION (THRISSUR DISTRICT),
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.V.H. JASMINE.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K.P. JYOTHINDRANATH, J.

B.A. No.8290 of 2015

Dated this the 29th day of December, 2015

O R D E R

This is an application filed under Section 439 of the Code of Criminal Procedure.

2. When the petition came up for hearing, the learned counsel for the petitioner submitted before me that the allegation is that the petitioner committed an offence under Section 306 of IPC. It is the submission that the petitioner was arrested as back as on 23.11.2015 and thereafter he is in judicial custody. The allegation is that due to his abetment the wife of the petitioner committed suicide by burning on 8.10.2015. It is the submission that she was aged 38 years and the marriage was about 15 years back.

3. I heard the learned Public Prosecutor, who submitted before me that if the petitioner is released on bail there is every chance of influencing the witnesses.

4. At this juncture, the learned counsel for the petitioner submitted that originally the crime was registered

under Section 174 of Cr.P.C.

5. After considering the totality of the case, I feel that bail can be granted to the petitioner herein on the following conditions:

- 1) The petitioner shall be released on bail on his 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 learned Magistrate having jurisdiction.
- 2) The petitioner shall appear before the Investigating Officer for interrogation on all Saturdays between 10.00 a.m. and 11.00 a.m. for a period of two months.
- 3) The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.
- 4) The petitioner shall not involve in any other offence during the period of bail.
- 5) The petitioner shall co-operate with the

investigation.

- 6) If an application is filed under Section 311A of Cr.P.C. before the court the petitioner shall co-operate with the same.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this court.

On the above conditions, this bail application allowed.

Sd/-
K.P. JYOTHINDRANATH
JUDGE

//True copy//

P.A. TO JUDGE

shg/