IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

Bail Appl..No. 8436 of 2014

CRIME NO. 716/2014 OF PARIYARAM MEDICAL COLLEGE POLICE STATION , KANNUR DISTRICT

PETITIONER(S)/ACCUSED NO 1 :

BIJU THOMAS, AGED 37 YEARS,
S/O.AUGUSTINE, MADASSERY HOUSE, NADUVALLUR,
CHUZHALI (P.O), KANNUR DISTRICT.

BY ADVS.SRI.ZUBAIR PULIKKOOL
SRI.P.S.BINU

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Msd.

B.KEMAL PASHA, J.

.....

Bail Application No.8436 of 2014

.....

Dated this the 9th day of March, 2015.

O R D E R

Petition under Section 438 Cr.P.C.

2. Petitioner is the first accused in Crime No.716/2014 of the Pariyaram Medical College Police Station, Kannur registered for the offence punishable under Section 498 (A) read with Section 34 IPC.

3. The allegation against the petitioner is that he had tortured and harassed the de-facto complainant who is his wife and treated her with cruelty by demanding more dowry and gold ornaments, after misappropriating her entire gold ornaments and money.

4 . Heard the learned Counsel for the petitioner and the learned Public Prosecutor.

5. The contents of the C.D reveal that the investigation of the case is practically over. It does not

reveal that the custodial interrogation of the petitioner is required for the continued investigation of the case. Being a matrimonial offence, considering the possibility of a reunion or settlement, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

5. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

(i) The petitioner shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Mondays and Thursdays, commencing from 16-3-2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

B.KEMAL PASHA, JUDGE

smm