

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

Bail Appl..No. 8624 of 2014 ()

(CRIME NUMBER NOT KNOWN TO THE PETITIONER)

PETITIONERS :

- 1. JOSEPH JAIN, AGED 28 YEARS,
S/O.ANTONY, VALIAPADATH HOUSE, AROOR P.O.,
ALAPPUZHA 688 534.**
- 2. BABY ANTONY,
VALIAPADATH HOUSE, AROOR P.O, ALAPPUZHA 688 534.**

**BY ADVS.SRI.RAAJESH S.SUBRAHMANIAN
SRI.V.R.RAJESH**

RESPONDENTS/STATE :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
AROOR POLICE STATION, AROOR, ALAPPUZHA 688 534.**

R1 & R2 BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

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B.A.No. 8624 of 2014

Dated this the 28th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Section 498A of the Indian Penal Code, 1860. The first petitioner is the husband of the victim and other petitioner is his mother. The prosecution case is that they subjected the victim to cruelty.

3. Heard.

4. There is no allegation that the victim sustained any serious injuries. So, it appears that custodial interrogation of the petitioners is not necessary for effective investigation.

In the result, this application is allowed.

1) The petitioners shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) The petitioners shall surrender their passports before the lower court concerned or if they do not have one, they shall file affidavits to that effect within five days of their

release.

- 3) They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 4) They shall appear before the Investigating Officer for interrogation if they are so required by him in writing.*
- 5) They shall not intimidate or attempt to influence the witnesses.*
- 6) They shall not destroy or tamper with evidence.*
- 7) They shall not attempt to contact or communicate with the victim.*
- 8) They shall not get themselves involved in any other criminal case while they are on bail.*
- 9) They shall not harass the de facto complainant or her relatives.*

If the petitioners surrender before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge