

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

Bail Appl..No. 8997 of 2014 ()

CRIME NO. 491/2014 OF EDAVANNA POLICE STATION , MALAPPURAM DISTRICT

PETITIONERS/ACCUSED 1 TO 3:

- 1. RAMSHAD E.A.,S/O.ABOOBACKER, AGED 26 YEARS,
ETTANNI HOUSE, P.O PERUMPLAVU,
THALAPPILLY TALUK, THRISSUR DISTRICT.**
- 2. KHADEEJA, W/O.ABOOBACKER, AGED 50 YEARS,
VEETTILEVALAPPIL HOUSE, P.O.PERUMPLAVU,
THALAPPILY TALUK, THRISSUR DISTRICT.**
- 3. FAISAL E.A,S/O.ABOOBACKER, AGED 31 YEARS,
VEETTILEVALAPPIL HOUSE, P.O PERUMPLAVU,
THALAPPILLY TALUK, THRISSUR DISTRICT.**

**BY ADVS.SRI.C.A.CHACKO
SMT.C.M.CHARISMA**

RESPONDENT/COMPLAINANT:

**THE STATE OF KERALA,
REPRESENTING SUB INSPECTOR OF POLICE,
EDAVANNA POLICE STATION, MALAPPURAM,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B.KEMAL PASHA, J.

.....
B.A. No.8997 of 2014

.....
Dated this the 9th day of January, 2014

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are A1 to A3 in Crime No.491/14 of the Edavanna Police Station, Malappuram registered for the offences punishable under Sections 406 and 498A read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioners is that they have tortured and harassed the wife of the 1st petitioner, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry, after misappropriating her entire gold ornaments and money, and thereafter she was sent back to her house.

4. Heard learned counsel for the petitioners and the

learned Public Prosecutor.

5. The contents of the CD reveal that the investigation of this case is practically over. No criminal antecedents have been reported against the petitioners. Custodial interrogation of the petitioners is not necessary for a case like this. Considering the fact that this is a matrimonial offence and for not wiping out a chance for reunion in future, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioners.

6. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioners, is directed to enlarge the petitioners on bail in the event of their arrest on each of them 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 petitioners shall report before the

investigating officer in between 9 a.m. and 11 a.m. on all Fridays and Tuesdays commencing from 16.01.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

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

(iv) The petitioners 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.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge