

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

Bail Appl..No.9029 of 2014

CRIME NO.553/2014 OF BADIADUKA POLICE STATION,KASARGOD DISTRICT.

PETITIONER/ACCUSED:

**MOHAMMED AMEER,AGED 30 YEARS (A1)
S/O.MOIDEENKUNHI,R/AT THAIVALAPPU HOUSE,
KALARI,P.O.NEKRAJE,KASARAGOD TALUK AND DISTRICT.**

**BY ADVS.SRI.T.B.SHAJIMON
SMT.GOVINDU P.RENUKADEVI**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K. ABRAHAM MATHEW, J.

B.A. No.9029 of 2014

Dated this the 12th day of January, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

The petitioner is the first accused in crime No.553/2014 of Badiadka Police Station, which has been registered for the offences under Sections 323, 403, 498A r/w. 34 IPC. The other accused are his parents and in-laws.

2. The marriage between the petitioner and the victim was solemnized in September, 2014. It is alleged that he along with the co-accused subjected her to cruelty both physical and mental demanding more dowry.

3. The learned counsel submits that the allegations are false and if the petitioner happens to be detained it may ruin their future life.

4. Heard.

5. The petitioner and the victim has been married for about 4 or 5 months. There is no allegation that the petitioner or the other accused inflicted any serious injury

to the victim. If the petitioner happens to be detained every chance of bringing back peace to the family will be lost forever. So I am inclined to grant his prayer.

In the result, this application is allowed.

- 1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the police in connection with this case.
- 2) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.
- 3) He shall not communicate or contact the victim except with the previous permission of the learned magistrate concerned.
- 4) He shall not intimidate or attempt to influence the witnesses.

This order is not applicable if the petitioner chooses to surrender before the Magistrate

concerned and in such case the learned Magistrate may take appropriate action in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE

//True copy//

P.A. TO JUDGE

shg/