

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936**

**Bail Appl..No. 9223 of 2014 ()**

**CRIME NO. 231/2014 OF POZHIOOR POLICE STATION, THIRUVANANTHAPURAM**

**PETITIONER/A2 :**

**INDHIRA, AGED 47,  
D/O.THANKAMMA, JINU BHAVAN, MANAPPAZHINJI  
AYIRA, AYIRA DESOM, KARODE VILLAGE  
THIRUVANANTHAPURAM.**

**BY ADV. SRI.SHAJIN S. HAMEED**

**RESPONDENT/STATE :**

**STATE OF KERALA,  
REPRESENTED BY THE INSPECTOR OF POLICE, PARASSALA  
THIRUVANANTHAPURAM, THROUGH THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI. C. RASHEED**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-01-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**Mn**

**B. KEMAL PASHA, J.**

.....  
B.A. No.9223 of 2014  
.....

*Dated this the 7<sup>th</sup> day of January, 2015*

**ORDER**

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2<sup>nd</sup> accused in Crime No.231 of 2014 of Pozhiyoor Police Station, Thiruvananthapuram registered for the offences punishable under Sections 302 and 201 read with Section 34 IPC.

3. It is alleged that A1 and the deceased had sexual relationship with the petitioner. On the fateful day, the deceased found A1 and the petitioner in a compromising position in the bedroom of the petitioner. He questioned it, which allegedly provoked the 1<sup>st</sup> accused. On that day, i.e., 02.05.2014, at 5 p.m., the 1<sup>st</sup> accused, allegedly with the active assistance of the petitioner, tied a towel around the neck of the deceased and strangled him to death. The petitioner has been in custody for the period from

16.11.2014 onwards.

4. Heard learned counsel for the petitioner and the learned Senior Public Prosecutor.

5. All the main overt acts are alleged against A1. It seems that the investigation of this case is practically over. No criminal antecedents have been reported against the petitioner. The continued detention of the petitioner in custody is not required for the continued investigation of this case. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on her executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, 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 Wednesdays and Saturdays, commencing from 14.01.2015 for a period of six months.*

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

*(iii) The petitioner shall make herself 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.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/07/01

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*PA to Judge*