

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

Crl.MC.No.1407 of 2015

**CRMC NO.1646/2014 IN CRIME NO.1258/2014 OF MATTANNUR POLICE STATION,
KANNUR DISTRICT.**

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PETITIONER/DE-FACTO COMPLAINANT:

**SRIPRIYA.K.V,W/O.ANAND,AGED 35 YEARS,
CHANTHANTE PARAMBATH HOUSE,EDAVELIKKAL,
MATTANNUR,KANNUR DISTRICT.**

**BY ADVS.SRI.K.SIJU
SRI.S.ABHILASH
SMT.S.SEETHA
SMT.NIMA JACOB**

RESPONDENTS/ACCUSED 1 & 2 & STATE:

- 1. STATE OF KERALA,THROUGH THE S.H.O.,
MATTANNUR POLICE STATION,REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.**
- 2. P.SAVITHAN,S/O.RAJU,AGED 35 YEARS,
MADHAVI NIVAS,EDAVELIKKAL,PAZHASI AMSOM,
MATTANNUR,KANNUR DISTRICT - 670 702.**
- 3. V.N.RAJU,S/O.GOVINDAN,MADHAVI NIVAS,
EDAVELIKKAL,PAZHASI AMSOM,MATTANNUR,
KANNUR DISTRICT - 670 702.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.
R2 & R3 BY ADV.SRI.C.P.PEETHAMBARAN**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 26-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S ANNEXURES:

- ANNEXURE 1:** A TRUE COPY OF THE ORDER DATED 13/01/2015 IN CRL.M.C.1646/2014 PASSED BY THE SESSIONS COURT, THALASSERY.
- ANNEXURE 2:** A TRUE COPY OF THE FIR ALONG WITH FIS IN CRIME NO.1258/2014 OF MATTANNUR POLICE STATION.
- ANNEXURE 3:** A TRUE CERTIFIED COPY OF THE INSTRUCTION SUBMITTED BY THE 1ST RESPONDENT IN CRLM.C. NO.1646/2014 BEFORE THE SESSIONS COURT, THALASSERY.
- ANNEXURE 4:** A TRUE COPY OF THE COMPLAINT FILED BY THE DE-FACTO COMPLAINANT BEFORE THE 1ST RESPONDENT ON 16/01/2015.
- ANNEXURE 5:** A TRUE COPY OF THE COMPLAINT SUBMITTED BY THE DE-FACTO COMPLAINANT ON 25/02/2015 TO THE 1ST RESPONDENT.

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

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K. ABRAHAM MATHEW, J.

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Crl. M.C. No. 1407 of 2015(A)
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Dated this the 26th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Second and third accused who are accused in the case were granted anticipatory bail by the learned Sessions Judge. The offences they are alleged to have committed fall under sections 323, 324, 341, 354B, 452 and 506 of IPC. The first informant has filed this petition to cancel the bail on the allegation that subsequent to the granting of the bail, the second respondent threatened her.

3. Heard.

4. The cancellation of bail order is sought for on the allegation that subsequent to the passing of the order, the second respondent threatened the petitioner first informant. If that is true, the proper remedy for the petitioner is to make an application before the Sessions Judge who granted the bail.

With the above observation, this applications is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. to Judge