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Saseendran Vs. State of Kerala

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Court : Kerala

Decided On : Jan-01-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Saseendran

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH WEDNESDAY, THE1T DAY OF JANUARY201411TH POUSHA, 1935 Bail Appl..No. 8594 of 2013 () ---------- CRIME NO. 1210/2013 OF VELLIKULANGARA POLICE STATION , THRISSUR DISTRICT ---------- APPLICANT/1ST ACCUSED: ---------- SASEENDRAN, AGED45YEARS, S/O.SANKARAN NAIR, ODATH HOUSE, MANKUTTYPADAM DESOM, PADY POST, KODALY, THRISSUR DISTRICT. BY ADVS.SRI.P.SANTHOSH (PODUVAL) SMT.R.RAJITHA RESPONDENT/STATE: ---------- STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON0101-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: sts THOMAS P. JOSEPH, J ---------- B.A.No.8594 of 2013 ---------- Dated this the 1st day of January, 2014

ORDER

Petitioner is the first accused in Crime No.1210 of 2013 of the Vellikulangara Police Station for the offences punishable under Sections 323, 325 and 498 A of the Indian Penal Code, apprehends arrest and has filed this application.

2. Learned Public Prosecutor has opposed the application. It is submitted that on 13-11-2013 the petitioner caused grievous hurt to the defacto complainant, his wife by twisting her arm and causing fracture of the finger. She was subjected to cruelty demanding more ornaments/money.

3. Learned counsel submitted that the allegations are not true and that though the incident allegedly occurred on 13-11-2013, private complaint was preferred only on 15-11-2013.

4. Having regard to the circumstances, I am inclined to think that custodial interrogation of the petitioner is not required. Hence I am inclined to grant relief. Application is allowed as under: a) Petitioner shall surrender before the officer investigating Crime No.1210 of 2013 of the vellikulangara B.A.No.8594 of 2013 2 Police Station on 01-07-2014 at 10 a.m for interrogation. b) If interrogation of the petitioner could not completed that day, he shall appear before the officer investigating the case on the day/days and time as directed by him which the petitioner shall comply. c) In case arrest of the petitioner is recorded, he shall be produced before the jurisdictional magistrate the same day. d) On such production, the petitioner shall be released, if not required to be detained otherwise on his executing bond for Rs.15,000/- (Rupees fifteen thousand only) with two sureties for the like sum each to the satisfaction of the learned magistrate and subject to the following conditions: i) Petitioner shall report to the officer investigating the case on every Saturday between 10 a.m and 12 p.m for a period of two months or until filing of the final report, whichever is earlier. ii) Petitioner shall report to the officer investigating the case as and when required for interrogation. iii) Petitioner shall not intimidate/influence the witnesses. iv) Petitioner shall not, during the period of this bail get involved in similar offence. B.A.No.8594 of 2013 3 v) In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer or the

defacto complainant may move application before the jurisdictional magistrate as held in P.K.Shaji Vs. State of Kerala (AIR 2006 SC100. Sd/- THOMAS P. JOSEPH, JUDGE. AS /True Copy/ P.A. to Judge

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