

Vinod Vs. State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1128985

Court : Kerala

Decided On : Feb-14-2014

Judge : Honourable Mr.Justice M.L.Joseph Francis

Appellant : Vinod

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE M.L.JOSEPH FRANCIS FRIDAY, THE 14TH DAY OF FEBRUARY 2014 25TH MAGHA, 1935 Bail Appl..No. 1020 of 2014 ()
----- CRL.MC1582014 of SESSIONS COURT, THIRUVANANTHAPURAM CRIME NO. 1564/2013 OF VALIYATHURA POLICE STATION , THIRUVANANTHAPURAM PETITIONER/ACCUSED: ----- VINOD, AGED 30 YEARS S/O.BABU, T.C8045, KOCHUVELI TTP P.O THIRUVANANTHAPURAM BY ADV. SRI.SHAJIN S.HAMEED RESPONDENT/STATE: ----- STATE OF KERALA, REPRESENTED BY THE SUB INSPECTOR OF POLICE VALIATHURA POLICE STATION REPRESENTED THROUGH THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM R BY PUBLIC PROSECUTOR, SRI V S SREEJITH THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14-02-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: M.L. JOSEPH FRANCIS J., ----- Bail Application No.1020 of 2014 ----- Dated this the 14th day

of February 2014

ORDER

The petitioner is the sole accused in Crime No.1564 of 2013 of Valiyathura Police Station. The offences alleged are offences under Section 498(A) and 306 of the Indian Penal Code.

2. The prosecution case is as follows. The petitioner married deceased Saritha on 23.1.2009 in accordance with their customary rites and thereafter, they lived as husband and wife. Two children were born in the said wedlock. The petitioner mis-appropriated 21 sovereigns of gold ornaments of deceased Saritha. The petitioner also mis-appropriated `2 lakhs given by Bail Application No.1020 of 2014 :2: the parents of the deceased at the time of marriage. The petitioner, thereafter, treated the deceased with mental and physical cruelty. On 18.12.2013 at 5 p.m., the deceased Saritha poured kerosene upon her and set her on fire. She was taken to the Medical College, Hospital, Thiruvananthapuram, where she succumbed to the injuries on 21.12.2013 at 7.30 p.m.

3. Heard both sides. The learned Public Prosecutor opposes the bail application. Considering the facts and circumstances of the case, I am of the view that the arrest and detention of the petitioner is not required for the purpose of the investigation. Hence this bail application is allowed. It is hereby directed that in the event of arrest of the petitioner in connection with the above case, he shall be released on bail on executing a bond for `25,000/- with two sureties each for the like sum to the satisfaction of the officer effecting arrest. The petitioner is directed to appear before the Bail Application No.1020 of 2014 :3: Investigating Officer as and when required. It is made clear that if the petitioner surrenders before the Judicial First Class Magistrate having jurisdiction, within 30 days from today, the petitioner shall be released on bail on executing a bond for `25,000/- with two sureties each for the like sum to the satisfaction of the Judicial First Class Magistrate. In that case also, the petitioner is directed to appear before the Investigating Officer as and when required. Sd/ M. L. JOSEPH FRANCIS, (JUDGE) dl// // TRUE COPY // Bail Application No.1020 of 2014 :4: