

Sunil Vs. State of Kerala

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Court : Kerala

Decided On : Feb-25-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Sunil

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN TUESDAY, THE 25TH DAY OF FEBRUARY 2014 6TH PHALGUNA, 1935 Bail Appl..No. 1317 of 2014 ()
----- CRIME NO. 140/2014 OF ADIMALY POLICE STATION , IDUKKI ACCUSED(S)/PETITIONERS/ACCUSED:
----- 1. SUNIL, AGED 30 YEARS (ACCUSED NO.1) ELAVUMKUNNEL HOUSE, 1000 ACRE KARA MANNAMKANDAM VILLAGE, DEVIKULAM TALUK 2 SRI SUKUMARAN, AGED 56 YEARS (ACCUSED NO.2 ELAVUMKUNNEL HOUSE, 1000 ACRE KARA MANNAMKANDAM VILLAGE, DEVIKULAM TALUK BY ADVS.SRI.JOY C. PAUL SRI.RAINGE KODUVATH COMPLAINANT(S)/RESPONDENTS/COMPLAINANT:
----- STATE OF KERALA, REPRESENTED BY SUB INSPECTOR OF POLICE ADIMALY POLICE STATION BY PUBLIC PROSECUTOR HIGH COURT OF KERALA, KOCHI 31R BY PUBLIC PROSECUTOR, SRI. DHANESH MATHEW MANJOORAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25-02-2014, THE

COURT ON THE SAME DAY PASSED THE FOLLOWING: das N.K. BALAKRISHNAN, J.

----- B.A. No. 1317 of 2014 (D)
----- Dated this the 25th day of February, 2014

ORDER

Petitioners are accused in Crime No.140/2014 of Adimaly Police Station. The offence alleged is under section 498A r/w 34 of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. The 1st petitioner is the husband of the complainant. The 2nd petitioner is the father of the 1st petitioner. It is alleged that the accused subjected the complainant to physical and mental cruelty.

3. Considering all the aspects the following directions are issued: The petitioners shall surrender before the Investigating Officer within ten days from today. After interrogation the accused shall be produced before the learned Magistrate. When applied for bail by the accused, the learned Magistrate B.A. No. 1317/2014 (D) -2- will, considering the nature of the case, grant bail to the petitioners but on the following conditions: a. The petitioners shall execute a bond for Rs.20,000/- (Rupees Twenty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate. If in case the Magistrate has any doubt about the genuineness or correctness of the tax receipts produced by the sureties, the learned Magistrate can insist for production of the attested photo copies of the original title deeds of the sureties. b. The petitioners shall make themselves available for interrogation by the Investigating Officer and the 1st petitioner shall appear before the Investigating Officer on all Mondays between 9.30 AM to 11.30 AM until further orders. B.A. No. 1317/2014 (D) -3- c. The petitioners shall surrender their original passports before the learned jurisdictional Magistrate. If they are not having any valid passport, they should file an affidavit regarding the same before the Magistrate. d. The petitioners will also file an affidavit that they will abide by all the conditions as mentioned above and that they will not commit any offence similar to the offence involved in this case and will not

directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence. e. The petitioners shall not leave India without the prior permission of the learned Magistrate. B.A. No. 1317/2014 (D) -4- f. The learned Magistrate will also ensure the identity of the sureties by insisting production of electoral photo identity cards/Driving licence etc. Sd/- N.K. BALAKRISHNAN, JUDGE //True Copy// P.A. to Judge jjj

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