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Rajan Vs. State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1141805

Court : Kerala

Decided On : May-23-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Rajan

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN FRIDAY, THE23D DAY OF MAY20142ND JYAISHTA, 1936 Bail Appl..No. 3226 of 2014 (C) ---------- [IN CRIME NO. 511/2014 OF PUTHOOR POLICE STATION IN KOLLAM DISTRICT] ..... PETITIONERS/ACCUSED - A2 & 3: ---------- 1. RAJAN, AGED63YEARS, `SABARIDAM', POOVATTOOR EAST MURI, KULAKKADA (P.O), KALAYAPURAM VILLAGE, KOTTARAKARA TALUK, KOLLAM DISTRICT.

2. VASANTHA, AGED55YEARS, W/O.RAJAN, `SABARIDAM', POOVATTOOR EAST MURI, KULAKKADA (P.O), KALAYAPURAM VILLAGE, KOTTARAKARA TALUK, KOLLAM DISTRICT. BY ADV. SRI.K.V.ANIL KUMAR. RESPONDENT/COMPLAINANT: ---------- 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 ON2305-2014,

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

---------- B.A. No. 3226 of 2014 C ---------- Dated this the 23rd day of May, 2014

ORDER

Petitioners are A2 and A3 in Crime No.511/2014 of Puthoor Police Station, Kollam District. The offence alleged is under section 498A r/w 34 of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. The 1st accused is the husband of the complainant. Petitioners herein are the father and mother of the 1st accused. The allegation is that the accused subjected the complainant to physical and mental cruelty demanding more gold and dowry.

3. The allegations are not true, the learned counsel for the petitioners submits.

4. Considering all the aspects the following directions are issued: B.A. No. 3226/2014 -2- 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 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.25,000/- (Rupees Twenty Five 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 shall appear B.A. No. 3226/2014 -3- before the Investigating Officer as and when directed. 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. 3226/2014 -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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