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Vinod Vs. State of Kerala

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Court : Kerala

Decided On : May-26-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Vinod

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN MONDAY,THE26H DAY OF MAY20145TH JYAISHTA, 1936 Bail Appl..No. 2752 of 2014 () ---------- CRIME NO. 260/2014 OF EZHUKONE POLICE STATION , KOLLAM PETITIONER(S)/PETITIONER/ACCUSED: ---------- VINOD, AGED36YEARS S/O SURENDRAN, KALLUVILA VEEDU AMPALATHUKARA P.O. KAKKAKOTTOOR MURI, KOTTARAKKARA BY ADV. SRI.SYAM J SAM RESPONDENT(S)/RESPONDENT/COMPLAINANT: ---------- STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM R BY PUBLIC PROSECUTOR, SRI. RAJESH VIJAYAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON2605-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: das N.K. BALAKRISHNAN, J.

---------- B.A. No. 2752 of 2014
---------- Dated this the 26th day of May, 2014

ORDER

The petitioner is the accused in Crime No.260/2014 of Ezhukone 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 petitioner is the husband of the defacto complainant. It is alleged that the petitioner and his family members subjected the defacto complainant to physical and mental cruelty.

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

4. Considering all the aspects the following directions are issued: The petitioner shall surrender before the Investigating Officer within ten days from today. After interrogation the B.A. No. 2752/2014 -2- 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 petitioner but on the following conditions: a. The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five thousand only) 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 petitioner shall make himself available for interrogation by the Investigating Officer and shall appear before the Investigating Officer on all Mondays between 9.30 AM to 11.30 AM until further orders. B.A. No. 2752/2014 -3- c. The petitioner shall surrender his original passport before the learned jurisdictional Magistrate. If he is not having any valid passport, he should file an affidavit regarding the same before the Magistrate. d. The petitioner will also file an affidavit that he will abide by all the conditions as mentioned above and that he 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 petitioner shall not leave India without the prior permission of the learned Magistrate. B.A. No. 2752/2014 -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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