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**Rajesh Vs. State of Kerala**

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**SooperKanoon Citation** : sooperkanoon.com/1143589

**Court** : Kerala

**Decided On :** Jun-05-2014

**Judge** : Honourable Mr.Justice N.K.Balakrishnan

**Appellant** : Rajesh

**Respondent** : State of Kerala

**Judgement** :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN THURSDAY, THE5H DAY OF JUNE201415TH JYAISHTA, 1936 Bail Appl..No. 3547 of 2014 () ---------- CRIME NO. 318/2014 OF KASARAGOD POLICE STATION, KASARGOD ---------- PETITIONER(S)/ACCUSED :- ---------- 1. RAJESH K. AGED39YEARS S/O.KUNHIKANNAN, KUSHAL NAGAR, P.O.KANHANGAD KASARAGOD DISTRICT.

2. KUNHIKANNAN, AGED72YEARS KUSHAL NAGAR, P.O.KANHANGAD, KASARAGOD DISTRICT.

3. MADHAVI K.V., AGED60YEARS W/O.KUNHIKANNAN, KUSHAL NAGAR, P.O.KANHANGAD KASARAGOD DISTRICT.

4. PRASEETHA T.V., AGED33YEARS W/O.RAJEEVAN, KUSHAL NAGAR, P.O.KANHANGAD KASARAGOD DISTRICT. BY ADV. SRI.N.K.MANOJ KUMAR RESPONDENT(S)/COMPLAINANT/STATE :- ---------- 1. STATE

OF KERALA - REPRESENTED BY PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM-682031.

2. THE STATION HOUSE OFFICER (CRIME NO.318 OF 2014 OF KASARAGOD POLICE STATION KASARAGOD DISTRICT, PIN - 678 001) BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON0506-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: jvt N.K.BALAKRISHNAN, J.

---------- B.A. No.3547 of 2014 ---------- Dated this the 5th day of June 2014

ORDER

Petitioners are the accused in Crime No.318/2014 of Kasaragod Police Station. The offence alleged against them is punishable under Sec.498A of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. First accused is the husband of the de facto complainant. Their marriage took place on 21.5.2009. Petitioners 2 and 3 are the father and mother of the first petitioner and 4th petitioner is his sister. It is stated that the accused persons subjected the de facto complainant to physical and mental cruelty demanding more 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.3547 of 2014 -:

2. :- The petitioners shall surrender before the Investigating Officer within 10 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 grant bail to the petitioners but on the following conditions: a. The accused shall execute a bond for 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. First petitioner shall make himself available for interrogation by the Investigating Officer and should appear before the Investigating Officer on all Mondays between 9.30 AM to 11.30 AM until further orders. c. First petitioner shall produce his original passport before the learned jurisdictional Magistrate. If he B.A. No.3547 of 2014 -:

3. :- is not having any valid passport, he should file an affidavit regarding the same before the Magistrate. d. The accused will also file affidavit that they will abide by all the conditions as mentioned above. e. The accused shall not leave India without permission of the court. 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 Jvt

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