

**Sujitha vs State of Kerala**

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**SooperKanoon Citation :** [sooperkanoon.com/1314656](https://sooperkanoon.com/1314656)

**Court :** Kerala Orders

**Decided On :** Mar-19-2024

**Judge :** Honourable Mrs. Justice Sophy Thomas

**Appeal No. :** Bail Appl./1949/2024

**Appellant :** Sujitha

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE SOPHY THOMAS TH  
TUESDAY, THE 19 DAY OF MARCH 2024 / 29TH PHALGUNA, 1945 BAIL APPL.  
NO. 1949 OF 2024 PETITIONERS: 1 SUJITHA AGED 33 YEARS SHIBU  
MANDIRAM ,VALIAVAYAL, VATTTAKARIKKAM P O, PIN - 695562 2 SATHESH  
AGED 37 YEARS S/O RAJAN ,CHALLIBHAVAN CHALLIMUKKU,KOLLAYI PO  
KOLLAM DISTRICT, PIN - 695124 BY ADV NAVEEN RADHAKRISHNAN  
RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY PUBLIC  
PROSECUTOR,HIGH COURT OF KERALA, PIN - 682031 2 STATION HOUSE  
OFFICER KADAKKAL POLICE STATION KOLLAM DISTRICT., PIN - 695136  
SR.PP-SRI.RENJIT GEORGE THIS BAIL APPLICATION HAVING COME UP  
FOR ADMISSION ON 19.03.2024, THE COURT ON THE SAME DAY

DELIVERED THE FOLLOWING:

## ORDER

Dated this the 19th day of March, 2024 This is an application for anticipatory bail under Section 438 of Cr.P.C. filed by accused Nos.1 and 2 in registered under Sections 341, 323, 324, 506(ii) and 307 r/w Section 34 of IPC.

2. The prosecution allegation is that, the 1st

accused, who is the husband of the defacto complainant, and the 2nd accused, who is having an illicit relationship with the 1st accused, on 27.01.2024, attempted to kill the defacto complainant by inflicting wounds on her body with a knife. She was assaulted by both the accused by pressing on her neck and by kicking her. The 2nd accused invited the defacto complainant over telephone to her house, and she was attempted to be killed by the

accused persons at the house of the 2nd accused.

3. Heard learned counsel for the petitioners and learned Public Prosecutor.

4. Learned Public Prosecutor vehemently opposed

the bail application, stating that the offences alleged includes an offence under Section 307 of IPC also, and the wound certificate will show several incised wounds on the body of the defacto complainant inflicted by the accused persons. Moreover, the 1st accused is having 8 criminal cases registered against him before several police stations, and the list of the same is given below:

1. Pangode P.S., crime No.31/2018, u/s 450, 376 IPC, 4 r/w 3 of POCSO Act.

2. Chithara P.S., crime No.95/2024, u/s 498(A), 323, 324, 294(b) and 34 IPC.

3. Kadakkal P.S., crime No.599/2009, u/s 323, 294(b), 308 and 34 IPC.

4. Kadakkal P.S., crime No.133/2015, u/s 380 IPC.
5. Kadakkal P.S., crime No.7/2008, u/s 342, 324, 506(ii), 294(b) IPC.
6. Chithara P.S., crime No.870/2021, u/s 498(A), 342, 34 IPC.
7. Kadakkal P.S., crime No.1797/2019, u/s 341, 294(b), 324, 307, 308, 326 and 34 IPC.
8. Valiyamala P.S., crime No.77/2018, u/s 376 IPC.

In the said circumstances, the petitioners are not entitled to be released on anticipatory bail. Hence this bail application is dismissed. Sd/- SOPHY THOMAS  
JUDGE SSK/19/03

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