

**Sinderla vs State of Kerala**

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**Court :** Kerala

**Decided On :** Apr-06-2022

**Judge :** Honourable Mr. Justice Gopinath P.

**Appeal No. :** Bail Appl./43/2022

**Appellant :** Sinderla

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P.  
WEDNESDAY, THE 6TH DAY OF APRIL 2022 / 16TH CHAITHRA, 1944  
CRIME NO.1164 OF 2021 OF IRINJALAKUDA POLICE STATION,  
THISSUR DISTRICT PETITIONER/ACCUSED: 1 SINDERLA, AGED 67  
YEARS, W/O GANGADHARAN, KOZHIPARAMBIL HOUSE,  
CHIYYARAM P O, THRISSUR-680 026. 2 GINCY GANGAN, AGED 38  
YEARS, W/O GANGAN, KOZHIPARAMBIL HOUSE, KARUVAN ROAD,  
CHIYYARAM P O, THRISSUR-680 026. BY ADVS. M.ANIL KUMAR  
PREETHI K.PURUSHOTHAMAN RESPONDENT/STATE & DEFACTO  
COMPLAINANT: 1 STATE OF KERALA, REPRESENTED BY THE  
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-

682 031. 2 SRUTHY PEETHAMBARAN, AGED 31 YEARS, D/O PEETHAMBARAN, IDACHALIL HOUSE, VELLANGALLUR, VELAYANAD DESOM, VADAKKUMKARA VILLAGE, THRISSUR DISTRICT - 680 661. R1 BY SRI. M.C. ASHI (PP) THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06.04.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## **ORDER**

This is an application for anticipatory bail.

2. Petitioners are the accused in Crime No.1164 of

2021 of Irinjalakuda Police Station, Thrissur District, alleging commission of offence under Section 498A of the Indian Penal Code. The allegation against the petitioners is that after the 1 st accused married the de-facto complainant, the petitioners used to physically and mentally harass the de-facto complainant. Petitioners are the mother-in-law and sister-in-law of the de-facto complainant. The 1st accused in this case is husband of the de-facto complainant.

3. It is submitted that the petitioners are absolutely

innocent in the matter. The learned counsel for the petitioners would submit that the allegations are completely false and have been raised only as a counter blast to escape from the criminal liability for torturing the 1st petitioner. In earlier occasion also the petitioners lodged complaints against the de-facto complainant for alleging physical torture. It is submitted that considering the nature of the allegations against the petitioners, their custodial interrogation is not necessary.

4. I have heard the learned Public Prosecutor also.

5. Having regard to the facts and circumstances of the

case and considering the nature of the allegations against the petitioners, I am of the view that the petitioners can be granted anticipatory bail since their custody may not be required for a proper investigation into Crime No.1164 of 2021 of

Irinjalakuda Police Station, Thrissur District.

6. In the result, this bail application is allowed and it is

directed that the petitioners shall be released on bail, in the event of their arrest in connection with Crime No.1164 of 2021 of Irinjalakuda Police Station, Thrissur District, subject to the following conditions: (i) Petitioners shall execute separate bonds for sums of Rs.50,000/- (Rupees fifty thousand) each with two solvent sureties each for the like sum to the satisfaction of the arresting officer;

(ii) Petitioners shall co-operate with the

investigation and shall report before the investigating officer in Crime No.1164 of 2021 of Irinjalakuda Police Station, Thrissur District, whenever called upon to do so;

(iii) Petitioners shall not attempt to interfere with

the investigation or to influence or intimidate the de-facto complainant or any witness in Crime No.1164 of 2021 of Irinjalakuda Police Station, Thrissur District;

(iv) Petitioners shall not involve in any other crime while on bail.

If any of the aforesaid conditions are violated, the investigating officer in Crime No.1164 of 2021 of Irinjalakuda Police Station, Thrissur District, may file an application before the Jurisdictional Court, for cancellation of bail. Sd/- GOPINATH P. JUDGE DK

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