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Rahul vs State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1495182

Court : Kerala

Decided On : Jan-24-2022

Judge : Honourable Mr. Justice Gopinath P.

Appeal No. : Bail Appl./6241/2021

Appellant : RAHUL

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. MONDAY, THE 24TH DAY OF JANUARY 2022 / 4TH MAGHA, 1943 BAIL APPL. NO. 6241 OF 2021 CRIME NO.623/2021 OF TIRURANGADI POLICE STATION PETITIONERS/ACCUSED: 1 RAHUL AGED 30 YEARS S/O. JAYA MOHAN, PIMPURATH HOUSE, MULLANMADA, 2 PRASANNA AGED 60 YEARS W/O. JAYA MOHAN, PIMPURATH HOUSE, MULLANMADA, BY ADVS. P.T.SHEEJISH P.K.PURUSH HARIKIRAN JASHITHA VIJAYAN STEPHY GRACE RAJ AKHILA SRIDHARAN P.SREELAKSHMI A.ABDUL RAHMAN (A-1917) RESPONDENT/STATE: STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM,

PIN-682 031 OTHER PRESENT: SMT. SEENA .C. (PP) THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24.01.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: B.A.No.6241/2021 2

ORDER

This is an application for anticipatory bail.

2. The petitioners are the accused in Crime No.623/2021 of Tirurangadi Police Station, alleging commission of offences under Sections 498A of the Indian Penal Code.

3. The allegation against the petitioners is that, after the 1 st

petitioner married the de facto complainant, the petitioners tortured the de facto complainant by demanding dowry. It is submitted that following investigation of the crime, a final report has been filed before the Judicial First Class Magistrate Court, Parappanangadi and it is now pending there as C.C.No.1704/2021.

4. The learned counsel for the petitioners submits that the allegations are totally baseless and that the petitioners have been roped in only for the purpose of settling other matrimonial disputes.

5. I have heard the learned Public Prosecutor also.

6. Having regard to the facts and circumstances of the case and

considering the fact that since the final report has already been filed in the matter, I am of the view that the custodial interrogation of the petitioners is not necessary.

7. In the result, this bail application is allowed. It is directed that

the petitioners shall be released on bail in the event of their arrest in connection with Crime No. 623/2021 of Tirurangadi Police Station, subject to the following conditions:- B.A.No.6241/2021 3

(i) The petitioners shall execute separate bonds for sums of Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Court;

(ii) The Petitioners shall report before the Investigating officer in Crime No. 623/2021 of Tirurangadi Police Station as and when called upon to do so;

(iii) The petitioners shall not attempt to influence or intimidate the de facto complainant or any witness in Crime No. 623/2021 of Tirurangadi Police Station ;

(iv) The 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. 623/2021 of Tirurangadi Police Station may file an application before the jurisdictional Court for cancellation of bail. Sd/- GOPINATH P. JUDGE acd

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