

Reenu, vs State of Kerala,

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Court : Kerala

Decided On : Oct-29-2021

Judge : Honourable Mr. Justice Gopinath P.

Appeal No. : Bail Appl./6897/2021

Appellant : REENU,

Respondent : State of Kerala,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. FRIDAY,
THE 29TH DAY OF OCTOBER 2021 / 7TH KARTHIKA, 1943 AGAINST
THE ORDER/JUDGMENT IN CRMC 1728/2021 OF DISTRICT COURT
& SESSIONS COURT, ERNAKULAM, ERNAKULAM CRIME
NO.652/2021 OF MULAVUKAD POLICE STATION, ERNAKULAM
DISTRICT NAME AND ADDRESS OF THE PETITIONER/2ND
ACCUSED: REENU, AGED 33 YEARS W/O. LIJO E.J., ELENJIVELIL
HOUSE, KOTTUVALLY, KAITHARAM P.O. 683 519. BY ADVS. BABU
KARUKAPADATH M.A.VAHEEDA BABU P.U.VINOD KUMAR ARYA
RAGHUNATH VAISAKHI V. T.M.MUHAMMED MUSTHAQ
KARUKAPADATH WAZIM BABU NAME AND ADDRESS OF THE

RESPONDENT/RESPONDENT: STATE OF KERALA, REPRESENTED BY STATION HOUSE OFFICER, MULAVUKAD POLICE STATION, MULAVUKAD, ERNAKULAM. OTHER PRESENT: SR.PP - SRI. C.N.PRABHAKARAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29.10.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

This is an application for anticipatory bail.

2. The petitioner is the 2nd accused in Crime No.652/2021 of

Mulavukad Police Station, Ernakulam District alleging commission of offences under Sections 498A, 377, 120-B, 406 and 420 r/w Section 34 of the Indian Penal Code.

3. The brief facts are that the brother of the petitioner, who is a 1 st

accused, got married to the de-facto complainant on 05.05.2019. It is submitted that the allegations leveled by the de-facto complainant are completely untrue and that she had filed a complaint only after the 1 st accused filed a petition for dissolution of marriage (O.P.No.135/2021 on the files of Family Court, Ernakulam). Reference is also made to certain additional documents produced along with Crl.M.A.No.1 of 2021 to suggest that the allegations of the de-facto complainant can only be false.

4. The learned Public Prosecutor submits that the investigation in

the matter is progressing and that if anticipatory bail is granted to the petitioner, it may be on strict conditions to ensure that the investigation is not affected in any manner.

5. Having regard to the nature of the allegations against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to conditions.

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

the petitioner shall be released on anticipatory bail in the event of arrest in connection with Crime No.652/2021 of Mulavukad Police Station, Ernakulam District, subject to the following conditions:-

(i) Petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the Jurisdictional Court;

(ii) Petitioner shall appear before the investigating officer in Crime No.652/2021 of Mulavukad Police Station, Ernakulam District as and when summoned to do so;

(iii) Petitioner shall not attempt to contact the de-facto complainant or to interfere with the investigation or to influence or intimidate any witness in Crime No.652/2021 of Mulavukad Police Station, Ernakulam District;

(iv) Petitioner shall not involve in any other crime while on bail. If any of the aforesaid conditions are violated, the investigating officer in Crime No.652/2021 of Mulavukad Police Station, Ernakulam District may file an application before this Court, for cancellation of bail. Sd/- GOPINATH P. JUDGE bng/29/10/21

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