

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

TUESDAY, THE 28TH DAY OF APRIL 2015/8TH VAISAKHA, 1937

Bail Appl.No. 2217 of 2015

CRIME NO. 139/2015 OF CHITTAR POLICE STATION, PATHANAMTITTA
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PETITIONER(S)/ACCUSED:

**SALEENA CHALLADHURAI, AGED 50 YEARS,
W/O CHELLADHURAI, KALPANA BHAVAN, FACTORYPADI,
CHITTAR, PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT(S)/COMPLAINANT:

**STATE,
REPRESENTED BY THE STATION HOUSE OFFICER,
CHITTAR POLICE STATION, PATHANAMTHITTA DISTRICT,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SSMT.BINDHU GOPINATH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
28-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K.RAMAKRISHNAN, J.

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B.A. No.2217 of 2015

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Dated this the 28th day of April, 2015

O R D E R

This is an application filed by the sole accused in Crime No.139/2015 of Chittar Police Station of Pathanamthitta district under Section 439 of the Code of Criminal Procedure.

2. The case of the prosecution in nutshell was that the accused, who is the mother-in-law of the deceased abetted the deceased to commit suicide on 02.03.2015 and thereby she had committed the offence punishable under Section 306 of the Indian Penal Code (hereinafter referred to as IPC).

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

4. The counsel for the petitioner submitted that the petitioner has not committed any offence and even if the entire allegations are accepted, no offence under Section 306 of IPC is attracted. She is in jail from 08.03.2015 onwards.

5. The application was opposed by the Public Prosecutor on the ground that the investigation is not over and if she is released on bail, she is likely to influence the witnesses. It is

seen from the instructions that the death of the deceased, the daughter in law of the petitioner was informed to the police. A crime was registered as Crime No. 139/2015 of Chittar Police Station under the caption 'unnatural death' under Section 174 of the Code of Criminal Procedure. Later, during investigation it was revealed that the deceased committed suicide on account of some incident happened at the instance of the petitioner and so it was converted to one under Section 306 IPC and the petitioner was implicated as the sole accused. She was arrested on 8.03.2015. She is in jail from that day onwards. The investigation is not over. But it is seen that most of the main witnesses to be questioned were already questioned. The custody of the petitioner is not required any more in connection with the investigation. I am not at this stage, going to the question as to whether the allegations are sufficient to attract the offence under Section 306 IPC or not as it is a matter for evidence. Considering the fact that the petitioner is a lady and also considering the fact that she is in jail from 08.03.2015 and major part of the investigation is over, this Court feels that bail can be granted to the petitioner on stringent conditions. So the application is allowed with the following conditions:

i) The petitioner shall be released on bail on executing a bond for ₹25,000/-(Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the Judicial First Class Magistrate Court-I, Ranni.

ii) The petitioner shall appear before the Investigating Officer for the purpose of interrogation on the last Saturday of every month between 9 am and 10 am for a period of three months or till the final report is filed, whichever is earlier.

iii) The petitioner shall appear before the investigating officer for the purpose of interrogation in connection with the above crime as and when required in writing to do so till the final report is filed.

iv) The petitioner shall not intimidate or influence the witnesses.

v) The petitioner shall not leave Pathanamthitta district without getting prior permission from the Judicial First Class Magistrate, Ranni or from the court in which the case is committed for trial, till the disposal of the case.

With the above condition, this application is allowed.

Sd/-
K.RAMAKRISHNAN, JUDGE

sj