

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.ANIL KUMAR

TUESDAY, THE 30TH DAY OF APRIL 2019 / 10TH VAISAKHA, 1941

Bail Appl..No. 2920 of 2019

CRIME NO. 193/2019 OF KARUNAAGAPALLY POLICE STATION ,
KOLLAM

PETITIONER/S:

- 1 LATHA
 AGED 52 YEARS
 W/O. UDAYAN, THUNDATHIL, MANAPPALLY SOUTH,
 SRPM P.O, THAZHAVA, KARUNAGAPPALLY.

 - 2 ADARSH
 AGED 21 YEARS
 S/O. UDAYAN, THUNDATHIL, MANAPPALLY SOUTH,
 SRPM P.O, THAZHAVA, KARUNAGAPPALLY.
- BY ADVS.
SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL

RESPONDENT/S:

STATE OF KERALA
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

OTHER PRESENT:

SRI C K PRASAD-PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
30.04.2019, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

ORDER

This is an application for anticipatory bail filed under Section 438 Cr.P.C.

2. Petitioners are accused 2 & 3 in Crime No. 193 of 2019 of Karunagappally Police Station registered for the offences punishable under Sections 498(A) & 323 r/w Section 34 of the Indian Penal Code.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor. Perused the case diary.

4. The first and second petitioners are the mother in law and the brother in law of the *defacto* complainant respectively. The prosecution case is that the marriage between the *defacto* complainant and the elder son of the first petitioner was solemnized on 20.05.2018 as per the customary rites and ceremonies prevailing in their community and after the marriage, they lived as husband and wife. It is alleged that the accused harassed the *defacto* complainant both physically and mentally by demanding more dowry.

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5. Considering the fact that the dispute between the parties is purely a matrimonial dispute, this Court is of the view that this is a fit case for granting pre-arrest bail to the petitioners.

In the result, the petition is allowed and it is ordered as follows:-

- 1) The petitioners shall be released on bail on executing a bond for Rs.50,000/- (Rupees Fifty thousand only) each with two sureties each for the like amount in the event of their arrest by the police in Crime No. 193 of 2019 of Karunagappally Police Station.
- 2) The petitioners shall appear before the Investigating Officer as and when directed by him in writing to do so.
- 3) The petitioners shall not in any manner intimidate or influence the prosecution witnesses.
- 4) The petitioners shall not leave the State of Kerala without the prior permission of the jurisdictional court concerned.
- 5) If the petitioners violate any of the conditions of

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bail including the condition regarding deposit of money in the court, it is open to the Court having jurisdiction over the case to cancel their bail without any further orders from this Court but in accordance with law.

Sd/-

N.ANIL KUMAR

JUDGE

Bka/30.04.2019