

## Saji. P vs State Of Kerala on 14 January, 2022

**Author: P Gopinath**

**Bench: P Gopinath**

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH P.

FRIDAY, THE 14TH DAY OF JANUARY 2022 / 24TH POUSHA, 1943

BAIL APPL. NO. 6761 OF 2021

PETITIONERS/ACCUSED NO.1 TO 4 :

- 1 SAJI. P., AGED 44 YEARS,  
S/O. PUSHPANANDHAN, PUSHPAMANGALATH VEEDU,  
PADOM, KALANJOOR, PATHANAMTHITTA 689 694.
- 2 PUSHPANANDHAN, AGED 70 YEARS,  
PUSHPAMANGALATH VEEDU, PADOM,  
KALANJOOR, PATHANAMTHITTA 689 694.
- 3 SAJEEV. P., AGED 42 YEARS,  
S/O. PUSHPANANDHAN, PUSHPAMANGALATH VEEDU,  
PADOM, KALANJOOR, PATHANAMTHITTA 689 694.
- 4 SANTHAMMA, AGED 65 YEARS,  
W/O. PUSHPANANDHAN, PUSHPAMANGALATH VEEDU,  
PADOM, KALANJOOR, PATHANAMTHITTA 689 694.  
BY ADV VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS/COMPLAINANTS/STATE :

- 1 STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM 31.
- 2 SUB INSPECTOR OF POLICE,  
KODAL POLICE STATION, PATHANAMTHITTA 689 693.
- 3 VRINDHA C U., AGED 33 YEARS  
D/O. BABU UPENDRANATH, VRINDHA BHAVAN, PUTHAYAM  
ALAYAMON, KOLLAM RURAL 673 307.

R1 & R2 BY SRI .M.C. ASHI (PP)

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
14.01.2022, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

B.A. No. 6761 of 2021

GOPINATH.P, J

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B.A. No. 6761 of 2022  
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Dated this the 14th day of January, 2022

ORDER

The petitioners are the accused Nos.1 to 4 in Crime No.657/2021 of Koodal Police Station, Pathanamthitta District, alleging commission of offence punishable under Section 498A read with 34 of the Indian Penal Code.

2. The first petitioner got married to the defacto complainant on 27-08-2006. The allegation against the petitioners is that ever since the marriage of the first petitioner with the defacto complainant they treated her with cruelty and subjected her to mental and physical harassment with a demand for more dowry. The 2nd and 4th petitioners are the parents of the first petitioner and the 3rd petitioner is his brother.

3. When this matter is taken up for consideration today, Sri.Vinoy Varghese, the learned counsel appearing for the petitioners would submit that there were proceedings between the first petitioner and the defacto complainant before the Family Court, Kottarakkara and that pursuant to mediation conducted between the parties, the entire issues between the first petitioner and the defacto complainant have been settled and they are now living together happily as husband and wife.

Having regard to the aforesaid submission of the learned counsel for the petitioners, I am of the view that they can be granted Anticipatory Bail subject to conditions.

6. In the result, this application is allowed. It is directed that the petitioners shall be released on anticipatory bail, in the event of their arrest in connection with Crime No.657/2021 of Koodal Police Station subject to the following conditions:-

(i) Petitioners shall execute bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Court;

(ii) Petitioners shall appear before the investigating officer in Crime No. 657/2021 of Koodal Police Station at 9:00 A.M on 21.01.2022 and thereafter when called upon to do so;

(iii) Petitioners shall not attempt to contact the de facto complainant or interfere with the investigation or to influence or intimidate any witness in Crime No.657/2021 of Koodal Police Station;

(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.657/2021 of Koodal Police Station may file an application before the jurisdictional Court for cancellation of bail.

Sd/-

GOPINATH.P JUDGE amk