
(2023) 09 KL CK 0050
In the High Court Of Kerala
Case No : Bail Application No.7675 Of 2023

Akhil Kumar

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 07-09-2023

Acts Referred:

Indian Penal Code, 1860 — Section 498A

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 — Section 3(1)(c), 3(1)(e)

Citation : (2023) 09 KL CK 0050

Hon'ble Judges : Gopinath P., J

Bench : Single Bench

Advocate : Sreeraj M.D., G Sudheer

Final Decision : Dismissed

Judgement

Gopinath P., J

1. This is an application for regular bail
2. The petitioner is the sole accused in Crime No.226/2023 of Nagarur Police Station, Thiruvananthapuram District alleging commission of offences under Section 498A of the Indian Penal Code and Sections 3(1)(c), 3(1)(e) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. The allegation against the petitioner is that after a period of two years after the marriage of the petitioner with the 2nd respondent, the petitioner had committed the offence punishable under Section 498 A of the Indian Penal Code by demanding more dowry. It is also alleged that the petitioner had insulted the 2nd respondent by calling her by her caste name. The petitioner has filed CrI.MC No.5901/2023 before this Court seeking to quash the proceedings registered against him. The said case is pending consideration of this Court. In the meanwhile, the petitioner has been arrested and is in custody from 28-08-2023.
4. Heard the learned Public Prosecutor also. He confirms that notice of this bail

application has been given to the 2nd respondent. However, there is no appearance for the 2nd respondent.

5. Having regard to the facts and circumstances of the case and considering the fact that the disputes between the petitioner and the 2nd respondent appear to arise out of matrimonial relationship, I am of the view that the petitioner can be directed to be released on bail and his further detention is not necessary.

In the result this bail application is allowed. It is directed that the petitioner shall be released on bail, subject to the following conditions:-

- (i) The petitioner shall execute a bond for a sum of Rs.50,000/-(Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Court;
- (ii) The Petitioner shall report before the Investigating officer in Crime No.226/2023 of Nagarur Police Station, Thiruvananthapuram District, as and when summoned to do so;
- (iii) The petitioner shall not attempt to interfere with the investigation, influence or intimidate the victim or any witness in Crime No.226/2023 of Nagarur Police Station, Thiruvananthapuram District;
- (iv) The 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.226/2023 of Nagarur Police Station, Thiruvananthapuram District may file an application before the jurisdictional Court for cancellation of bail.