

**(2021) 11 KL CK 0006**  
**In the High Court Of Kerala**  
**Case No : Bail Appl. No. 8095 Of 2021**

Manikandan

APPELLANT

Vs

State Of Kerala

RESPONDENT

**Date of Decision :** 01-11-2021

**Acts Referred:**

Indian Penal Code, 1860 — Section 302, 406, 498A

**Citation :** (2021) 11 KL CK 0006

**Hon'ble Judges :** Gopinath P, J

**Bench :** Single Bench

**Advocate :** M.V.Thamban, R.Reji, Thara Thamban, B.Bipin, Arun Bose, Suneesh Kumar R., Sajju. S

**Final Decision :** Dismissed

## Judgement

Gopinath P, J

1. This is an application for regular bail.
2. Petitioner is the accused in crime No.990/2021 of Karunagappally police station, Kollam district, alleging commission of offences under Sections 302, 406 & 498A of the Indian Penal Code.
3. The allegation against the petitioner is that, he murdered his wife Bincy on 19.07.2021, at about 06.50 pm. Initially, the First Information Report was registered for an offence under Section 302 of the IPC. Following the investigation, offences under Sections 406 and 498A of the IPC have also been incorporated. A final report had been filed in the matter and was pending before the Judicial First Class Magistrate Court, Karunagappally as C.P. No.100/2021. Learned counsel appearing for the petitioner pointed out that the case has now been committed and now pending before the Sessions Court, Kollam.
4. Learned counsel appearing for the petitioner submits that the petitioner has been in custody from 20.07.2021 and since his continued detention is not

necessary for the purpose of investigation, he may be directed to be released on bail. He also submits that the petitioner is a contract labourer with the Indian Rare Earths Ltd., and this is the only source of income for the family.

5. Learned Public Prosecutor, on instructions, submits that the murder was carried out in a most grievous and heinous manner and the postmortem report reveals the seriousness of the injuries caused by the petitioner upon his wife. He also submits that though the investigation has been completed and final report has been filed, the main witnesses in the case are the two minor children of the petitioner and there is every likelihood of the said witnesses being influenced, if the petitioner is released on bail. It is also pointed out that the area in question is a very sensitive area and there is every likelihood that the petitioner would be subjected to attack by the relatives of the deceased.

Taking note of the facts and circumstances of the case and the circumstances pointed out by the learned Public Prosecutor, I am not inclined to grant bail to the petitioner. Accordingly, this application will stand dismissed.