



ITEM NO.2

COURT NO.5

SECTION 11-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No(s). 2027-2028/2017

MUJEEB RAHMAN & ANR.

Appellant(s)

VERSUS

THE STATE OF KERALA
IA No. 42754/2022 - INTERIM BAIL

Respondent(s)

Date : 14-07-2022 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s) Mr. N. Hariharan, Adv.
Mr. Shinoj K. Narayanan, Adv.
Mr. K. Rajeev, AOR

For Respondent(s) Mr. Nishe Rajen Shonker, AOR
Ms. Anu K. Joy, Adv.
Mr. Alim Anvar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

IA No. 42754/2022 - INTERIM BAIL

In pursuance to our order dated 09.05.2022, a report has been filed by the State of Kerala dated 12.07.2022. The report records that the wife of the appellant is not willing to re-join the appellant No.1's company and look after the children and she is also on treatment for mental illness. She is residing with her parents who are also not willing to send the wife back to the home of appellant No.1. It appears that the marriage between the parties has broken down irretrievably on account of the fact that the

appellant No.1 believes that the wife had a relationship with another gentleman Faisal. No complaint had, however, been registered against Faisal.

In view of the aforesaid report, we have examined the case of appellant No.1 for grant of interim bail/bail. The appellant No.1 has been in custody for a period of five years and at present he is on interim bail. It is a case of reversal of acquittal in the case of two appellants while the acquittal was sustained against the two other accused.

In our view, looking to the aforesaid facts and circumstances and the particular case of the appellant No.1 which has been verified by the State Government and taking into consideration the period of custody and that it is a case of reversal, we grant bail to the appellant No.1 on terms and conditions to the satisfaction of the trial Court. Apart from any other condition, the appellant No.1 will report to the local police station in the forenoon of first Monday of every month.

The application accordingly stands disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)