

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

Bail Appl..No. 5 of 2015 ()

CRIME NO. 271/2013 OF C.B.C.I.D., OCW-III, SUB UNIT, THRISSUR

PETITIONER/ACCUSED :

**P. RADHAKRISHNAN, AGED 52 YEARS
S/O.PONNAN, DOOR NO. 1/17A, VALARMATHI NAGAR
THUDIYALLOOR, COIMBATORE, TAMILNADU**

**BY ADVS.SRI.P.MARTIN JOSE
SRI.K.KRISHNAN**

RESPONDENT/COMPLAINANT :

**THE STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM
(CRIME NO. 271/2013 OF CBCID, OCW-III
SUB UNIT, THRISSUR)**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14-01-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

B.KEMAL PASHA, J.

.....
B.A. No.5 of 2015

.....
Dated this the 14th day of January, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the sixth accused in Cr.No.271/CR/OCW-III/PKD/2013 registered for the offences punishable under Sections 489 (B) and 489 (C) read with Section 34 of the Indian Penal Code, which has arisen from Crime No.494/13 of the Vadakkekad Police Station. The petitioner has been in custody for the period from 29.10.2014 onwards.

3. Heard learned counsel for the petitioner and the learned Public Prosecutor.

4. Even though the petitioner has been in custody for the period from 29.10.2014 onwards, final report has not

been filed in the matter. It seems that the investigation of this case, as far as the present petitioner is concerned, is practically over. According to the investigating officer, another accused is yet to be arrested. The same cannot stand in the way of enlarging the present petitioner on bail, especially when no criminal antecedents have been reported against the petitioner. Considering all the above and having regard to the period undergone by the petitioner in custody, I am of the view that the petitioner can be enlarged on bail.

5. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the court below, and subject to the following terms and conditions:-

- (i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11

a.m. on all Wednesdays and Saturdays commencing from 21.01.2015 for a period of six months.

(ii) The petitioner shall surrender his passport before the court below, and in case he has no passport, he shall file an affidavit to that effect.

(iii) The petitioner shall not tamper with the evidence or influence witnesses.

(iv) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(v) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge