

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 23RD DAY OF JANUARY 2015/3RD MAGHA, 1936

Bail Appl.No. 349 of 2015

CRIME NO. 191/2014 OF VELLAMUNDA POLICE STATION, WAYANAD

.....

PETITIONER(S)/ACCUSED:

**ABDUL NAZAR, AGED 46 YEARS,
S/O.ALI, PANNIYODAM CHERIYA HOUSE, KUNHOME P.O.,
THONDERNADU VILLAGE, MANNATHAVADY TALUK,
WAYANAD DISTRICT.**

BY ADV. SRI.A.AHZAR

RESPONDENT(S)/COMPLAINANT:

**1. STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER, VELLAMUNDA
POLICE STATION, REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

**2. SUB INSPECTOR OF POLICE,
VELLAMUNDA POLICE STATION,
WAYANAD DISTRICT - 673 0001.**

*** ADDITIONAL R3 IMPEADED.**

**3. VASU, S/O.LATE KOCHUKOCHU,
AGED 76 YEARS, RESIDING AT KUNNUPURATH HOUSE,
THONDARNADU VILLAGE, MANATHAVADY TALUK,
WAYANAD DISTRICT.**

*** ADDITIONAL R3 IMPEADED AS PER ORDER DTD.22.1.2015 IN
CRL.MA.NO.677/2015.**

**R1 & R2 BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED
R3 BY ADV. SRI.NAVEEN T.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
23-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B. KEMAL PASHA, J.

.....
B.A. No.349 of 2015
.....

Dated this the 23rd day of January, 2015

ORDER

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Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.191/2014 of the Vellamunda Police Station, Wayanad district, registered for the offences punishable under Sections 471 and 420 IPC and Section 17 of the Kerala Money Lenders Act.

3. According to the petitioner, the matter has been amicably settled between him and the *defacto complainant*, who is the additional 3rd respondent herein, and the *defacto complainant* has no complaints at present against the petitioner.

4. Heard learned counsel for the petitioner and learned Senior Public Prosecutor.

5. It seems that the matter has been amicably settled between the parties. Matters being so, the custodial interrogation of the petitioner is not required for the continued investigation of this case. Considering the facts and circumstances of this case, I am of the view that anticipatory bail can be granted to the petitioner.

6. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

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

(ii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iii) 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)

aks/23/01

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PA to Judge