

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

Bail Appl..No. 412 of 2015

CRIME NO. 1498/2013 OF KOLLAM WEST POLICE STATION , KOLLAM DISTRICT

PETITIONER(S)/4TH ACCUSED :

**NATARAJAN.K, AGED 63 YEARS,
W/O.REMA SUDHAN, SREE BHAVAN,
KUREEPUZHA, KAVANADU P.O, KOLLAM DISTRICT.**

**BY ADVS.SRI.BINU GEORGE
SMT.HEMALATHA**

RESPONDENT(S)/ STATE :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**

BY PUBLIC PROSECUTOR SRI.SREEJITH.V.S

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

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B.A. No.412 of 2015

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Dated this the 19th day of February, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 4th accused in Crime No.1498 of 2013 of the Kollam West Police Station, registered for the offences punishable under Sections 420 and 506(i) read with Section 34 of the Indian Penal Code.

3. It is alleged that the defacto complainant had borrowed an amount of Rs.48,000/- from the 1st accused, and the 1st accused obtained 12 blank signed cheque leaves from the defacto complainant. Even though the defacto complainant had repaid an amount of 8.5 lakhs, the 1st accused had demanded more amounts and she was intimidated. The allegation against the petitioner is that he is the father of the 1st accused and he also intimidated the defacto complainant for parting with huge amounts.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor.

5. On going through the contents of the CD, I do not think that the custodial interrogation of the petitioner is required for the continued investigation of this case. No criminal antecedents have been reported against the petitioner. It seems that he has been arraigned as an accused only because of the fact that he happened to be the father of the 1st accused, who was a money lender. Considering the facts and circumstances of the case, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

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 Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

(i) The petitioner shall report before the investigating officer in between 09.00 a.m. and 11.00 a.m. on all Thursdays and Mondays commencing from 26.02.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

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

(iv) 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

DSV/19/2/15

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P.A. To Judge

