

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

Bail Appl..No. 482 of 2015

CRIME NO. 702/2014 OF VADAKKENCHERRY POLICE STATION, PALAKKAD DISTRICT.
.....

APPLICANT/ACCUSED NO.1:

**VENUGOPAL, AGED 55 YEARS,
S/O PAZHANIMALA, KACHERIKKAL HOUSE,
THACHANADI, PUDUKKODE,
ALATHUR, PALAKKAD.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B.KEMAL PASHA, J.

.....
B.A. No.482 OF 2015
.....

Dated this the 30th day of January, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.702 of 2014 of the Vadakkancherry Police Station, Palakkad registered for the offences punishable under Sections 403, 406, 417 and 420 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he had executed an agreement in favour of the defacto complainant by agreeing to sell his property and obtained an amount of ₹6,500/- by way of part of consideration. Thereafter, he has not cared to comply with the terms and

conditions of the agreement.

4. Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the CD.

5. It seems that the matter involved in this case is more or less of civil nature. According to the petitioner, the petitioner had an occasion to borrow some amounts from one Surendran to whom he has entrusted his documents and the said Surendran had obtained blank stamp papers etc. from him as security. It was by misusing those documents, the present agreement was cooked up and the case has been registered. It seems that a private complaint has been filed in the matter by the defacto complainant which was referred to the police under Section 156(3) Cr.P.C. and consequently the present crime has been registered. Considering the facts narrated above, much discussion is not required to conclude that this is a fit case wherein the discretionary relief of anticipatory bail can be granted.

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 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 06.02.2015.

(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

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conditions stipulated above will result in the cancellation of
bail.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge