

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

Bail Appl..No. 553 of 2015 ()

**CRIME NO. 721/2014 OF MANNAR POLICE STATION,
ALAPPUZHA DISTRICT**

PETITIONERS/ACCUSED NO. 1 & 2 :

- 1. MANISH PHILIP, AGED 29 YEARS,
S/O.K.P.VARGHESE, MATTTACKAL PUTHENVEEDU,
ERAMATTOOR P.O. MANNAR, MAVELIKKARA TALUK,
ALAPPUZHA DISTRICT**
- 2. K.P.VARGHESE, AGED 55 YEARS,
S/O.PHILIP, MATTACKAL PUTHENVEEDU, ERAMATTOOR P.O.,
MANNAR, MAVELIKKARA TALUK, ALAPPUZHA DISTRICT**

**BY ADVS.SRI.T.P.PRADEEP
SRI.P.K.SATHEES KUMAR**

RESPONDENTS/COMPLAINANTS :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA**
- 2. SUB INSPECTOR OF POLICE,
MANNAR - 650 622**

R1 & R2 BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K.ABRAHAM MATHEW, J.

.....
B.A.No. 553 of 2015

.....
Dated this the 12th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioners who are father and son and are the 1st and 2nd accused in Crime No. 721 of 2014 of Mannar Police Station registered for the offences under Sections 420 and 34 of the Indian Penal Code. The first informant is the mother-in-law of the 2nd petitioner. She is the owner of a tourist bus. The prosecution case is that she entrusted the vehicle to the petitioners on condition that they shall pay her Rs.1,00,000/- per month and now they are attempting to sell the bus.

3. Heard both sides.

4. The learned counsel submits that the petitioners have already handed over the bus to the first informant and it was due to misunderstanding she happened to file this case. Having regard to the fact that the custody of the bus has been given to the first informant, I am inclined to grant the prayer of the petitioners.

In the result, this application is allowed.

- i. The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.
- ii. They shall appear before the Investigating Officer for interrogation if they are so required by him in writing.
- iii. They shall not destroy or tamper with evidence.
- iv. They shall cooperate with the investigation.
- v. In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K.ABRAHAM MATHEW
JUDGE

AMV/12/06/

/TRUE COPY/

P.A.TO JUDGE