

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

Bail Appl..No. 829 of 2015

**CBCID CRIME NO. 497 OF 2012 (CRIME NO.59 OF 2012 OF MEDICAL COLLEGE POLICE
STATION , THIRUVANANTHAPURAM)**

PETITIONER(S)/ACCUSED NO.3 :

**PRAVEEN G.S, S/O.S.SASIDHARAN, TC.6/326,
PULLIYAL VEEDUE, THURUVIKKAL P.O, ULLOOR,
THIRUVANANTHAPURAM.**

BY ADV. SRI.V.M.SYAM KUMAR

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA- 682 031,
REPRESENTING THE INSPECTOR OF POLICE CBCID,
THIRUVANANTHAPURAM**

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

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B.A. No.829 of 2015

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Dated this the 23rd day of February, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 3rd accused in CBCID Crime No.497/CR/EOW 1/KLM/12 (Crime No.59 of 2012 of the Medical College Police Station), registered for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code.

3. The crime was registered on the allegation that A1 and A2 had defrauded and cheated several persons and had amassed huge amounts running to Rs.1,31,32,500/-. In course of the investigation, the petitioner has also been arraigned as the 3rd accused.

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

5. It seems that the petitioner has been arraigned as the 3rd accused in the crime, during the fag end of the investigation, only because of the fact that he happened to be the driver of the defacto complainant, by alleging that he was

instrumental in handing over an amount of Rs.82,50,000/- by the defacto complainant woman to A1 and A2. All the main overt acts are alleged against A1 and A2. There is no allegation that the petitioner had obtained any amount from the defacto complainant. Considering the facts and circumstances of the case and the fact that the petitioner has not been involved in any other criminal cases, I am of the view that 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 Mondays and Thursdays

commencing from 02.03.2015 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/23/2/15

// True Copy //

P.A. To Judge

