

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

TUESDAY, THE 14TH DAY OF JULY 2015/23RD ASHADHA, 1937

Bail Appl..No. 1423 of 2015

CRIME NO. 514/2014 OF KARUKACHAL POLICE STATION , KOTTAYAM

PETITIONER(S)/PETITIONERS:

1. SARAMMA THOMAS, AGED 45 YEARS,
W/O.THOMAS M M., MARAPPADU HOUSE, PONGA MURI,
NEDUMUDI, KANIAJERI VILLAGE, KUTTANADU TALUK,
ALAPPUZHA DISTRICT.
2. KUNJUMOL GEORGE, AGED 40 YEARS,
W/O.GEORGE, ANJIL HOUSE, AMACHIGIRI MURI
CHAMBKULAM VILLAGE, ALAPPUZHA DISTRICT.

BY ADV. SRI.P.V.DILEEP

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.LISHA M.G.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

SUNIL THOMAS, J.

B.A. No. 1423 of 2015

Dated this the 14th day of July, 2015

ORDER

This application for Anticipatory Bail is filed by the accused nos. 2 to 3 in Crime No. 514/2014 of Karukachal Police Station for offences punishable under Section 471 I.P.C.

2. The police intercepted a lorry belonging to the 2nd accused on 05.05.2014, while it was carrying red earth. It was found that the lorry was bearing the Vehicle Number of the lorry owned by the 3rd accused. It appears that the permit was obtained for transporting the red earth in the name of the 3rd accused. Consequently, crime was registered and vehicles were seized. The petitioners contended that, they are owners of vehicles and that they have not committed any crime or offence. It was alleged that it might have been done by the driver

without their knowledge and consent.

3. Heard and examined the records.

4. The vehicles were seized at the spot and seizure mahazar prepared. The fact that, the vehicle belonging to the 2nd accused was found carrying the registration number of the 3rd accused is brought on record, thereby. No further purpose would be served by a custodial interrogation, especially at this length of time, during which the investigating agency did not feel it just and proper to have a custodial interrogation.

Hence, I am inclined to grant bail, subject to the following conditions:

1. The Petitioners shall appear before the Investigating Officer on 27.07.2015 between 9 a.m and 10 a.m. They shall undergo interrogation and thereafter, in the event of they being arrested, they shall be released on bail on the petitioners executing a bond for a sum of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties for the like sum

each.

- 2.They shall co-operate with the Investigating Officer, which includes production of the RC Book, related documents of the vehicle as well as the licence or permit issued in the name of the vehicle which the Investigating Officer feels are in the custody of the petitioners and are required for the purpose of investigation.
- 3.He shall not in any manner, threaten, coerce or intimidate of the witnesses and shall not interfere with investigation process.

Sd/-
SUNIL THOMAS
JUDGE

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