

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

Bail Appl..No. 1782 of 2015 ()

(CRIME NO.404/2015 OF TOWN SOUTH POLICE STATION, THEVARA, ERNAKULAM
DISTRICT)

PETITIONER/ACCUSED:

ANIL JOHN ZACHARIAS, AGED 48 YEARS,
S/O.LATE JOSE ANTONY, RESIDING AT: 31, NEPTUNE COUNTRY,
CHILAVANNOOR, KADVANTHRA P.O., KOCHI.

BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY

RESPONDENT(S)/STATE:

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1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM - 682 031(CRIME NO. "NOT KNOWN" OF TOWN SOUTH
POLICE STATION, THEVARA, ERNAKULAM DISTRICT).
 2. STATION HOUSE OFFICER,
TOWN SOUTH POLICE STATION, THEVARA,
ERNAKULAM DISTRICT - 682 013.(CRIME NO. "NOT
KNOWN" OF TOWN SOUTH POLICE STATION,
ERNAKULAM DISTRICT).
 3. ASST. COMMISSIONER OF POLICE,
THRIKKAKARA, ERNAKULAM DISTRICT - 682 015.

*ADDL.R4 IMPEADED

*ADDL.R4: SMT. V.A.RAJAMMA, AGED 62 YEARS, W/O.BABU,
VISWALAL HOUSE, PARAPPILLY ROAD, THIRUVANKULAM.P.O.,
THIRUVANKULAM VILLAGE, ERNAKULAM-682 305.

*ADDL.R4 IS IMPEADED AS PER ORDER DATED 10/9/2015 IN
CRL.M.A.NO.8659/2015

R1 TO R3 BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

sts

A. HARIPRASAD, J.

Bail Appl. No.1782 of 2015

Dated this the 10th day of September 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is the accused in Crime No.404 of 2015 of Town South Police station, Ernakulam registered for the offences punishable under Secs.406 and 420 of the Indian Penal Code.

3. Heard both sides.

4. Learned counsel for the petitioner submitted that when he moved for an anticipatory bail before the Sessions Court, Ernakulam, the learned Public Prosecutor submitted that there was no crime registered and so the application was closed. Thereafter, the case was registered against the petitioner.

5. It appears that there is a dispute regarding allotment of a flat between the defacto complainant and accused. It is also submitted by the learned counsel for the petitioner that civil litigations are pending between the parties.

Considering the nature of allegations in this

case, following directions are issued.

1. The petitioner shall appear before the investigating officer within a period of two weeks and submit himself for interrogation.

2. In the event of arrest, the petitioner shall be released on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. He shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

4. He shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE