

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH**

**FRIDAY, THE 24TH DAY OF APRIL 2015/4TH VAISAKHA, 1937**

**Bail Appl..No. 2050 of 2015**  
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**CRIME NO. 217/2015 OF AMBALAPPUZHA POLICE STATION , ALAPPUZHA**  
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**PETITIONER(S)/ACCUSED NO.1:**  
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**SUJITH, AGED 25 YEARS  
S/O.RAJAPPAN, RAJ BHAVANAM,  
KARUVATTA PANCHAYATH WARD NO.XIII,  
KARUVATTA VILLAGE.**

**BY ADVS.SRI.S.SANAL KUMAR  
SMT.BHAVANA VELAYUDHAN  
SMT.T.J.SEEMA**

**RESPONDENT(S)/COMPLAINANT:**  
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**STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR  
HGIH COURT OF KERALA, ERNAKULAM**

**BY PUBLIC PROSECUTOR SMT.V.H.JASMINE**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24-04-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**PJ**

**BABU MATHEW P. JOSEPH, J.**

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**B.A.No. 2050 of 2015**  
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**Dated this the 24<sup>th</sup> day of April, 2015**

**ORDER**

This petition is filed under Section 439 of Cr.P.C. for bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent.

3. The petitioner is the 1<sup>st</sup> accused in crime No.217 of 2015 of Ambalapuzha Police Station. The offence alleged is under Section 394 read with Section 34 of IPC. The petitioner was arrested on 18.3.2015 and produced before the Court. He was remanded to judicial custody. He continues to be in custody. Learned counsel for the petitioner submits that the petitioner is totally innocent of the allegations raised against him. The Police is taking

vengeance against the petitioner by falsely implicating him in such a serious criminal case for the simple reason that he has preferred a suit claiming compensation against Police Officer and Government. The investigation of the case is almost over. He further submits that the continued custody of the petitioner is not required for completing the investigation.

4. The Case Diary shows that the investigation of the case has progressed much. On considering the facts and circumstances, stage of the investigation and the period the petitioner has already spent in jail, this Court is satisfied that the petitioner can be granted bail imposing appropriate conditions. The petitioner has raised very serious allegations against the Police Officers in this bail application. This Court is of the considered opinion that such allegations are to be looked into by a responsible senior Police Officer. Therefore, a separate order will be passed for that purpose in this case.

5. In the result, the petitioner is granted bail subject

to the following conditions:

- 1) The petitioner shall be released on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the concerned Magistrate's Court.
- 2) The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Thursdays for a period of two months.
- 3) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.
- 4) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

5) The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

6) The petitioner shall not commit any similar offence while on bail.

7) The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This application is allowed as above.

Sd/-

**BABU MATHEW P. JOSEPH, JUDGE.**

//TRUE COPY//

P.A TO JUDGE

DG