

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE BABU MATHEW P.JOSEPH

TUESDAY, THE 21ST DAY OF APRIL 2015/1ST VAISAKHA, 1937

Bail Appl..No.2115 of 2015

CRIME NO.434/2015 OF ERNAKULAM NORTH POLICE STATION,ERNAKULAM.

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PETITIONER/4TH ACCUSED:

**SUBIN JOHN VARGHESE,AGED 22 YEARS,
IKKARAPARAMBIL HOUSE,SANTHIPURAM,
NEDUNGADAPPALLY,CHANGANASSERRY.**

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

RESPONDENT'S/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**
- 2. CIRCLE INSPECTOR OF POLICE,
E.T.NORTH POLICE STATION,
ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.SHEEBA M.T.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

BABU MATHEW P. JOSEPH, J.

B.A.No. 2115 of 2015

Dated this the 21st 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 4th accused in crime No.434 of 2015 of Ernakulam Town North Police Station. The offence alleged is under Section 395 of the Indian Penal Code. The petitioner was arrested on 23.3.2015 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 innocent of

the allegations raised against him. His custodial interrogation was over. The required recovery has been effected. He has no criminal antecedents. He is a BBA student. His semester examinations commence on 25.4.2015. He further submits that the continued custody of the petitioner is not required for completing the investigation.

4. Learned Public Prosecutor submits that the investigation of the case has progressed much. No criminal antecedents have been reported against the petitioner. In view of these facts and the period the petitioner has already spent in jail, the learned Public Prosecutor has no objection in granting the bail. On considering the facts and circumstances, stage of the investigation and the period the petitioner has already spent in jail, this court is also of the view that the petitioner can be granted bail imposing appropriate conditions. Therefore, 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 Mondays 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.

BABU MATHEW P. JOSEPH, JUDGE.

