

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

Bail Appl..No. 2237 of 2015 ()

CRIME NO. 132/2015 OF KARIKOTTAKARI POLICE STATION, KANNUR DISTRICT

PETITIONER(S)/ACCUSED 1 AND 2:

- 1. SHAMSUDHEEN,
S/O. ABOOBACKER, AGED 50 YEARS,
KUNDIL PEEDIKAYIL HOUSE, KOTTAPADAM,
THRITHALA POST, PALAKKAD DISTRICT.**
- 2. SHABEENA,W/O. SHAMSUDHEEN,AGED 41 YEARS,
KUNDIL PEEDIKAYIL HOUSE, KOTTAPADAM,
THRITHALA POST, PALAKKAD DISTRICT.**

BY ADV. SRI.P.K.MOHANAN(PALAKKAD)

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.2237 of 2015

Dated this the 4th day of June, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. The petitioners are alleged to have committed the offences under section 420 of Indian Penal Code.

3. The prosecution case is that promising to make the first informant a partner in their business the petitioners received from him about Rs.30,00, 000/- (Rupees Thirty lakhs only) and failed to make him a partner.

4. Heard.

5. It appears that the dispute is essentially a civil one. It is yet to be ascertained whether the ingredients of Section 420 IPC are attracted . So I am inclined to grant the prayer of the petitioners for anticipatory bail.

In the result, this application is allowed.

1. The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent sureties for the like sum each if they are arrested by the

police in connection with this case.

2. They shall appear before the investigating officer for interrogation if they are so required by him in writing.

3. They shall appear before the investigating officer between 10 a.m to 11 a.m on every Wednesday for four months or till the final report is filed whichever is earlier.

4. They shall not get themselves involved in any other criminal case while they are on bail.

5. They shall not intimidate or attempt to influence the witnesses.

6. They shall not destroy or tamper with evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law.

sd/-

K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge