

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 8TH DAY OF MAY 2015/18TH VAISAKHA, 1937

Bail Appl..No. 2463 of 2015 ()

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CRIME NO. 100/2015 OF VADAKARA POLICE STATION.**

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PETITIONER/2ND ACCUSED:

**IGNACIOUS AROOJA, AGED 43 YEARS,
S/O. FRANCIS, FLAT NO.315, VINE YARD RESIDENCE,
COX TOWN, BANGALORE-43.**

**BY ADVS.SRI.A.RANJITH NARAYANAN,
SMT.A.SIMI,
SRI.S.K.SAJU.**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, REPRESENTING
THE SUB INSPECTOR OF POLICE,
VADAKARA POLICE STATION,
KOZHIKODE DISTRICT.**

BY PUBLIC PROSECUTOR SRI.ROY THOMAS.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

P.UBAID, J

Bail Appln.No.2463 of 2015

Dated this the 8th day of May, 2015

ORDER

The petitioner herein is the 2nd accused in Crime No.100/2015 of Vadakara Police Station, registered under Sections 420 and 406 read with Section 34 of IPC. He seeks regular bail under Section 439 of the Code of Criminal Procedure. The application filed by him for regular bail was dismissed by the learned Sessions Judge, Kozhikode on 21.04.2015. The petitioner has been in judicial custody since 08.03.2015.

2. It is submitted that the first accused has been granted bail by this Court on conditions. The exact elements and ingredients of cheating will have to be explored into by the Trial Court.

3. This application for regular bail is opposed by the learned Public Prosecutor on the ground that investigation is still in progress, and that if the accused is now released, it will definitely obstruct the investigation.

4. On hearing both sides, and on a perusal of the materials including the case diary I find that investigation in this case is practically over, and that the petitioner can be now released on appropriate conditions. On a perusal of the case diary, I find that the investigating officer has already questioned the material witnesses and has recovered the material documents. However, the petitioner will have to be directed report before the investigating officer till investigation is over, to ensure that the remaining part of investigation is not in any manner obstructed. I find that the police has already collected the necessary materials as part of investigation, and I do not find the necessity of continued detention of the petitioner in custody.

5. In the result, this application for bail is allowed. The petitioner will be released on bail on his executing bond with two solvent sureties for ₹25,000/- to the satisfaction of the learned Magistrate concerned. Bail is granted on condition that

a) The petitioner shall report before

the investigating officer between 10 am. and 11 am. on all Thursdays for a period of two months.

b) The petitioner shall not leave the jurisdictional limits of Vadakara Police Station till investigation is completed.

Sd/-
P.UBAID
JUDGE

rkj

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P.A. TO JUDGE