

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

Bail Appl..No. 2625 of 2015

CRIME NO. 393/2015 OF ERNAKULAM NORTH POLICE STATION , ERNAKULAM

PETITIONER(S)/ACCUSED NO.2:

**MOHAMMED ABU IRFAN, AGED 55 YEARS,
S/O.MERAN HAJI, DARUL FALAH HOUSE, PULPATTA VILLAGE,
ERNAD THALUK, MANJERI, MALAPPURAM.**

**BY ADVS.SRI.S.RENJITH
SRI.S.UNNIKRISHNAN (NELLAD)**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.2625 of 2015

Dated this the 23rd day of June 2015

O R D E R

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

2. Petitioner is the 2nd accused in Crime No.393 of 2015 of Ernakulam North Police station registered for the offences under Secs.10 and 24(b) of the Emigration Act and Sec.420 read with Sec.34 of Indian Penal Code. The prosecution case is that he was conducting a recruiting agency for recruiting the persons for employment abroad without any license under the Emigration Act.

3. Heard both sides.

4. The offences under Secs.10 and 24(b) of the Emigration Act are bailable. The only non bailable offence included in the First Information Report is 420 IPC. The case diary does not show that there is any material to suspect that the petitioner has committed the offence under Sec.420 IPC.

5. Having regard to the fact of the case, I am

inclined to grant him anticipatory bail.

In the result, the bail application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on every Friday for three months or till the final report is filed whichever is earlier.

3) He shall surrender his passport before the lower court concerned or if he does not have the same, file an affidavit to that effect.

4) He shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) He shall not destroy or tamper with evidence.

6) He shall not intimidate or attempt to influence the witnesses.

7) He shall not get himself involved in any other criminal case.

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

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge