

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

Bail Appl..No. 2683 of 2015

CRIME NO. 933/2015 OF KALPETTA POLICE STATION , WAYANAD

PETITIONER(S)/ACCUSED 4:

**HAMEED, AGED 47 YEARS,
S/O.MOOSA, KUNIGARATH HOUSE, KANBALAKKAD P.O,
KANIYAMBETTA VILLAGE, WAYANAD DISTRICT.**

**BY ADVS.SRI.SAJEEVAN KURUKKUTTIYULLATHIL
SMT.SARITHA THOMAS**

RESPONDENT(S):

**THE STATION HOUE OFFICER, KALPETTA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 2683 of 2015

Dated this the 10th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner along with accused 1 to 3 is accused of having committed the offences under Sections 120(B), 109, 420, 423 and 427 IPC. Accused 1 to 3 were subscribers of chitty conducted by the first informant. To secure the prize amount of Rs.56,00,000/- the mortgaged immovable property. Thereafter, they sold the property to the petitioner, who is the fourth accused.

3. Heard.

4. There is no law prohibiting sale of a mortgaged property. It appears that no offence is made out against the petitioner.

In the result, this application is allowed.

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

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge