

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

Bail Appl..No. 3082 of 2015

CRIME NO. 448/2015 OF NADAKKAVU POLICE STATION, KOZHIKODE DISTRICT.
.....

PETITIONER/ACCUSED:

**BIJU, AGED 36 YEARS,
S/O.BABU, SINDHU VILASAM,
UMAYANALLOOR.P.O., KOLLAM.**

BY ADV. SMT.V.P.SATHI

RESPONDENT:

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

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K.ABRAHAM MATHEW, J.

.....
B.A.No. 3082 of 2015

.....
Dated this the 12th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is an accused in Crime No. 448 of 2015 of the Nadakkavu Police Station registered for the offences punishable under Sections 468, 471, 420 and 34 of the Indian Penal Code. The prosecution case is that at an exhibition conducted at Kozhikode, the petitioner offered to sell a grinder machine to the first informant for which he received Rs.300/- as advance, and he failed to deliver the article.

3. Heard both sides.

4. The person who was at the exhibition hall was one Augustine. He was arrested by the police. Augustine told the police that the stall was taken on rent by the petitioner. But the police could not find out any shop in the name of the petitioner. Having regard to this fact that, I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

- i. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twentyfive thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.
- ii. He shall appear before the Investigating Officer for interrogation if he are so required by him in writing.
- iii. He shall not destroy or tamper with evidence.
- iv. He shall cooperate with the investigation.
- v. 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

AMV/12/06/

/TRUE COPY/

P.A.TO JUDGE