

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYASHTA, 1937

Bail Appl.No. 3323 of 2015

CRIME NO. 1495/2015 OF PERUMBAVOOR POLICE STATION, ERNAKULAM

PETITIONER(S)/ACCUSED:

**NIRMAL V., AGED 34 YEARS,
S/O.M.VIJAYANATHAN, 96, E.B. COLONY HOUSE,
V.G.RAO NAGAR, GANAPATHY POST, COIMBATORE-641 006,
NOW RESIDING AT 45(14/554), KALPADAKKAL HOUSE,
3 KANNADI, KANNADI PANCHAYATH, ALATHUR TALUK,
PALAKKAD-678 701.**

**BY ADVS.SRI.T.MADHU
SRI.A.SAIN PAUL**

RESPONDENT(S)/STATE:

**THE STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
PERUMBAVOOR POLICE STATION, ERNAKULAM DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
16-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.3323 of 2015

Dated this the 16th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 406 and 420 of Indian Penal Code.

3. He was an employee of the first informant. The prosecution case is that he misappropriated Rs.2,00,000/- (Rupees Two lakhs only) and took away a car.

4. Heard.

5. The learned counsel submits that the petitioner is ready to surrender the car to the investigating officer. The learned counsel also submits that the first informant did not pay him salary for six months, which led to the incident and the allegation that he misappropriated money is false. It appears that there are some disputes between the petitioner and the first informant. Detention of the petitioner is not necessary for effective investigation.

In the result, this application is allowed.

1. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties for the like sum each he is arrested by the police in connection with this case.

2. He shall surrender the car with key before the investigating officer between 10.00 a.m and 11.00 a.m on 24.06.2015.

3. He shall furnish security before the Judicial Magistrate concerned for Rs.2,00,000/- (Rupees Two lakhs only) in the form of a demand draft, bank guarantee or immovable property. If the security is immovable property its title deed also shall be produced before the learned Magistrate who shall not return the title deed till the conclusion of the trial.

4. He shall not get himself involved in any other criminal case while he is on bail.

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

6. He 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