

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937

Bail Appl..No. 3395 of 2015 ()

CRIME NO. 970/2014 OF VALLIKUNNAM POLICE STATION

PETITIONER/ACCUSED A1 :

SAILESWARAN
S/O.MRITHUNJAYAN, AGED 65 YEARS
HINDU, RETIRED DY.TAHSILDAR
VALIYATHARAYIL, SOUTH MANKUZHI,
MAVELIKKARA TALUK, ALAPPUZHA DISTRICT.

BY ADVS.SRI.D.SAJEEV (KAMBISSARI)
SRI.P.BIJIMON
SRI.K.T.SEBASTIAN

RESPONDENT/COMPLAINANT :

THE STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
KOCHI-682 031.

BY PUBLIC PROSECUTOR SRI. C. RASHEED

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

K. ABRAHAM MATHEW, J.

B.A. No.3395 of 2015

Dated this the 24th day of July, 2015

ORDER

Petition filed Under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 143, 147, 148, 149, 452, 323, 506 (11), 420, 465, 114 of the Indian Penal Code and Section 17 of the Kerala Money Lenders Act.

3. The prosecution case is that the petitioner who is a revenue officer came to his house along with the few others and threatened him into signing certain cheque leafs in 2003.

4. Heard.

5. The alleged incident happened in 2003. The police was informed only on 2014. That inordinate delay compels me to grant the prayer of the petitioner.

In the result, this application is allowed.

1. The petitioner will be released on bail on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate

concerned.

2. He shall appear before the investigating officer for interrogation if he is so required by him in writing.

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

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

5. He shall not destroy or tamper with the evidence.

6. He shall surrender his passport before the lower court concerned or if he does not have one, he shall file an affidavit to that effect within five days of his release.

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

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

If the petitioner surrenders before the Magistrate this order is not applicable and the learned magistrate may pass appropriate orders.

K. ABRAHAM MATHEW
JUDGE