

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

Bail Appl.No. 3405 of 2015

CRIME NO. 436/2015 OF NOORNADU POLICE STATION, ALAPPUZHA
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PETITIONER(S):

**PRASANNA, AGED 49 YEARS,
W/O SOMAN , SANDHYA BHAVANAM, MUTHUKATTUKARA MURI,
PALAMEL, MAVELIKKARA.**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT(S):

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA THROUGH S.I OF POLICE,
NOORNADU POLICE STATION - 688 001.**

BY PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
21-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

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B.A.No. 3405 of 2015

Dated this the 21st day of August, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No. 436 of 2015 of Nooranad Police Station. She and the other accused are alleged to have committed the offence under Section 420 of the Indian Penal Code.

3. The prosecution case is that they promised to get a job visa to the victim and received from her Rs.5,00,000/- out of the Rs.12,00,000/- which was the consideration.

4. Heard.

5. The petitioner received Rs.1,00,000/- through her bank account. Learned counsel submits that this was a loan taken from the victim. That may or may not be true. The 3rd accused has already been arrested. The petitioner is a lady, aged 49 years. It appears that subject to certain conditions she may be granted bail. So, I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

*1)The petitioner shall be released on bail on her
executing a bond for Rs.50,000/- (Rupees fifty*

thousand only)with two solvent sureties each for the like sum if she is arrested by the Police in connection with this case.

- 2)On or before 07.09.2015, she shall deposit in the trial court Rs.1,00,000/- (Rupees one lakh only) which shall be held by the court subject to the orders that may be passed by it later. If she fails to deposit the amount the Investigating Officer may file an application for cancellation of bail.*
- 3)The petitioner shall surrender her passport before the lower court concerned or if she does not have one, she shall file an affidavit to that effect within five days of her release.*
- 4)She shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.*
- 5)She shall appear before the Investigating Officer for interrogation if she is so required by him in writing.*
- 6)She shall not intimidate or attempt to influence the witnesses.*
- 7)She shall not destroy or tamper with evidence.*
- 8)She shall not get herself involved in any other criminal case while she is on bail.*

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

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

DST

//True copy//

P.A. To Judge