

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. 3413 of 2015 ()

**CRIME NO. 179/2015 OF TRIPUNITHURA HILL PALACE POLICE STATION ,
ERNAKULAM DISTRICT**

PETITIONER/ACCUSED:

**JAMES KURIAN, AGED 36 YEARS,
S/O.K.A.ANTONY, KANAPPILLY HOUSE,
NAYARAMBALAM P.O.,
VYPEEN, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.BABU CHERUKARA
SRI.SEVI VARGHESE
SMT.ROSAMMA MATHEW
SRI.P.ANTO THOMAS**

RESPONDENT(S)/COMPLAINANT:

- **1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI -682 031.**
- 2. THE STATION HOUSE OFFICER,
TRIPUNITHURA POLICE STATION, PIN - 682 301.**

***ADDL.R3 IMPEADED**

***ADDL.R3: SIJO T. JOSEPH, AGED 35 YEARS,
S/O.JOSEPH, 'THADATHIVEETIL', MARADU VILLAGE,
ERNAKULAM.**

***ADDL.R3 IS IMPEADED AS PER ORDER DATED 21/08/2015 IN
CRL.MA.NO. NO.6005/15**

**R1 & R2 BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y
ADDL.R3 BY ADVS. SRI.JAGAN ABRAHAM M.GEORGE
SRI.P.JAYABAL MENON
SMT.K.J.GISHA**

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

sts

K. ABRAHAM MATHEW, J.

B.A. No.3413 of 2015

Dated this the 21st day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.179 of 2015 of Tripunithura Hill Palace Police Station. He is said to have committed the offence under Section 420 of the Indian Penal Code.

3. The subject matter of the case is a commercial transaction. It is submitted that the petitioner has already paid the amount due to the victim. Having regard to this fact I am inclined to grant his prayer.

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

if he is so required by him in writing.

3. He shall not threaten or attempt to influence the witnesses, nor shall he while on bail, get himself involved in any criminal case; nor shall he destroy or attempt to destroy the evidence or interfere with the investigation.

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

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

If the petitioner violates any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

sd/-

K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge