

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

Bail Appl..No. 3530 of 2015 ()

**CRIME NO. 491/2015 OF THOPPUMPADY POLICE STATION,
ERNAKULAM DISTRICT**

PETITIONERS/ACCUSED A1,A4 & A5 :

- 1. KELVIN IJEH (A1) AGED 37 YEARS
S/O. LJEH, BENIN CITY BENIN
FEDERAL REPUBLIC OF NIGERIA, WEST AFRICA,
NOW RESIDING AT DOOR NO 004, DS MAX APPARTMENT
BANGALORE**
- 2. EHI UWAFO @ JOHN,(A4) AGED 25 YEARS,
S/O. UWAIFO, BENIN CITY BENIN
FEDERAL REPUBLIC OF NIGERIA , WEST AFRICA
NOW RESIDING AT NO 73, V TH CROSS, KOTHANNOOR
BANGALORE**
- 3. MAHAD MOHAMMED CHARDE, AGED 35 YEARS,
S/O. MOHAMMED CHARDE, H NO VI SAUDIENNE CITY(PB)
DIJIBOUTI, NOW RESIDING AT H NO 16, 4TH CROSS
AGRA MAIN ROAD, BANGALORE**

BY ADV. SMT.P.KPRIYA

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
REPRESENTING S H O THOPPUMPADY POLICE STATION,
ERNAKULAM DISTRICT 682 003**

BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

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B.A.No. 3530 of 2015

Dated this the 10th day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 406 and 420 IPC and 66(D) of the Information Technology Act, 2000 and Section 14 of the Foreigners Act. The prosecution case is that they cheated the victim to the tune of Rs.66,000/-. They are foreign nationals.

3. Heard.

4. First petitioner has been in custody since 09.05.2015 and the other petitioners since 03.05.2015. They are entitled to statutory bail.

In the result, this application is allowed.

1)The petitioners will be released on bail on their executing a bond for Rs.1,00,000/- (Rupees one lakh only)each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2)The petitioners shall appear before the Investigating Officer everyday for one month between 10 a.m and 11 a.m. and thereafter every Monday and Friday till the conclusion of the investigation.

- 3)They shall inform the Investigating Officer in writing their residential address and contact numbers*
- 4)The passports which have already been seized shall not be returned till the conclusion of the trial.*
- 5)The petitioners shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.*
- 6)They shall not intimidate or attempt to influence the witnesses, nor shall they get themselves involved in any other criminal case.*
- 7)They shall not leave the district of Ernakulam till the conclusion of the trial.*

If the petitioners violate 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

DST

//True copy//

P.A. To Judge