

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

Bail Appl..No. 3655 of 2015 ()

CRIME NO. 831/2015 OF ADOOR POLICE STATION, PATHANAMTHITTA DISTRICT

PETITIONER/2ND ACCUSED :

**SAJI YOHANNAN
S/O.YOHANNAN, AGED 39 YEARS
PEACE VILLA, EDAKKAD P.O.,
KADMAPANAD, KOLLAM.**

BY ADV. SRI. R.V. SREEJITH

RESPONDENT/COUNTER PETITIONER :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.3655 of 2015

Dated this the 20th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner along with the co-accused is alleged to have committed the offences 406, 419 and 420 of the Indian penal Code.

3. They are members of Sharon Fellowship Church. The prosecution case is that certain amount belonging to the fellowship was sent to the account of the first accused which is being maintained with the Federal Bank, Adoor and the petitioner also is involved in the misappropriation.

4. Heard.

5. Admittedly it was the first accused who sent the amount from Kuwait to his personal account in Adoor. There is no specific allegation against the petitioner, who is the second accused. Having regard to this fact I am inclined to grant the prayer of the petitioner for anticipatory bail.

In the result, this application is allowed.

1. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum if he is arrested by the police in connection with this case.

2. He shall appear before the investigating officer between 10 a.m to 11 a.m every Wednesday for three months or till the final report is filed whichever is earlier.

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 of if he does not have one, he shall file an affidavit to that effect within five days of his release.

7. He shall not contact or communicate with the victim.

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

may be.

If the investigation reveals that the petitioner is involved in the commission of the offences the investigating officer may file an application for cancellation of bail.

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.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge