

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

Bail Appl..No. 3703 of 2015

**CRIME NO.500/2015 OF THOPPUMPADY POLICE STATION, KOCHI,
ERNAKULAM DISTRICT**

PETITIONER(S)/ACCUSED :

**V.B.GIRISH, AGED 46 YEARS,
S/O.V.A. BALAKRISHNAN, XII/5, PARVATHY MANDHIR,
PANAYAPPILLY, KOCHI- 682 002.**

**BY ADVS.SRI.K.N.SIVASANKARAN
SRI.SUNIL SHANKER**

RESPONDENT(S):

**STATE OF KERALA,
(SHO THOPPUMPADY POLICE STATION),
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

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B.A.No. 3703 of 2015

Dated this the 23rd day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 406 and 420 of the Indian Penal Code, 1860. The allegation against him is that he misappropriated Rs.1,59,170/- which had been entrusted to him by the victim for depositing in his account maintained with foreman of a chitty.

3. Heard.

4. Pursuant to the directions issued by this Court, the petitioner has already deposited Rs.1,59,170/- in the trial court. It appears that his detention is not necessary for effective investigation.

In the result, this application is allowed.

1)The petitioner shall 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 if he is arrested by the Police in connection with this case.

2)The petitioner 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.

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

4)He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

5)He shall not intimidate or attempt to influence the witnesses.

6)He shall not destroy or tamper with evidence.

7)He shall not get himself involved in any other criminal case while he 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