

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

Bail Appl..No. 3812 of 2015 ()

CRIME NO. 1464/2015 OF ALUVA EAST POLICE STATION , ERNAKULAM DISTRICT

PETITIONER/3RD ACCUSED:

**JOHN V. CHERIYAN, AGED 31 YEARS,
S/O.K.CHERIYAN, PUNNACKATTU SHANTHI BHAVAN,
KARUVATTA P.O., HARIPPAD, ALAPPUZHA.**

BY ADV. SRI.ASP.KURUP

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE,
ALUVA EAST POLICE STATION - 683 101.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.3812 of 2015

Dated this the 9th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Section 420 and 468 of Indian Penal Code.

3. The first informant was owner of an immovable property. It was given as a security to the Kerala State Financial Enterprises to secure a loan availed by the first and second accused. But the first and second accused failed to pay the amount and thus they cheated the first informant. Second accused has already been granted bail by Sessions Court, Ernakulam. There is no specific allegation against the petitioner in this case. The facts of the case also compel me to grant anticipatory bail to the Petitioner.

In the result, this application is allowed.

1. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) if he is arrested by the

police in connection with this case.

2. He shall appear before the investigating officer for interrogation if he is so required by him in writing.

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 evidence.

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.

K. ABRAHAM MATHEW
JUDGE

