

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

Bail Appl..No. 3882 of 2015 ()

CRIME NO. 472/2015 OF KOOTHATTUKULAM POLICE STATION,ERNAKULAM DISTRICT

PETITIONER/ACCUSED:

**K.K.JOSEPH, AGED 50 YEARS,
S/O. UTHUP JOSEPH, KUZHUPPILLY HOUSE,
PONKUTTYKARA,ELANJI, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/STATE:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM - 682 031. (CRIME NO. 472/2015 OF KOOTHATTUKULAM
POLICE STATION, ERNAKULAM DISTRICT)**
- 2. STATION HOUSE OFFICER,
KOOTHATTUKULAM POLICE STATION,
ERNAKULAM DISTRICT - 686 662 (CRIME NO.472/2015
OF KOTHATTUKULAM POLICE STATION,
ERNAKULAM DISTRICT)**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.3882 of 2015

Dated this the 8th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offence under Sections 420, 406, 417 read with Section 34 of the Indian Penal Code.

3. The prosecution case is that he employed the defacto complainant promising to pay 4000 dirhams per month and free accommodation but paid only 2000 dirhams per month and thus he cheated the defacto complainant.

4. Heard.

5. Even if all the allegations are true, it is very doubtful whether any of the Section mentioned in the First Information report is attracted. The petitioner submits that the first informant resigned his post and left the service as evidenced by Annexure-IV. It is not proper for me to mention anything about the allegation against the Deputy Superintendent of Police concerned. I am compelled

to grant anticipatory bail to the petitioner.

In the result, this application is allowed.

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.

In case of violation of the above condition, 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**

R.AV