

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

Bail Appl..No. 4037 of 2015

**CRIME NO. 17/2015/CRE, OF VA & CB CENTRAL RANGE POLICE STATION,
ERNAKULAM.**
.....

PETITIONER/ACCUSED :

**B.RAMACHANDRAN, AGED 54.
S/O. BALAKUMARAN, N.G.O.QRS. NO.IV/2/7/12,
NGO QUARTERS ROAD, DESHMUKKU,
THRIKKAKARA P.O., KAKKANADU, KOCHI-21.
(ADDL. DISTRICT MAGISTRATE ERNAKULAM).**

**BY SRI.B.RAMAN PILLAI (SENIOR ADVOCATE)
ADVS. SRI.R.ANIL
SRI.M.SUNILKUMAR
SRI.SUJESH MENON V.B.
SRI.T.ANIL KUMAR
SRI.MANU TOM
SRI.THOMAS ABRAHAM (NILACKAPPILLIL)
SRI.M.VIVEK
SRIA.RAJESH**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY DIRECTOR GENERAL OF PROSECUTION SRI.T.ASAF ALI

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

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B.A.No. 4037 of 2015

Dated this the 22nd day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is said to have committed the offence under Sections 7 and 13(2) read with Section 13(1)(d) of P.C. Act, 1988. The prosecution case is that he being a public servant, accepted bribe from a person who had filed an application for a licence.

3. Heard.

4. Petitioner has been in custody since 27.06.2015. Learned Director General of Prosecution submits that his further detention is necessary for recording his voice for expert opinion. It appears that even if he is released on bail, if appropriate conditions are imposed, his voice can be recorded. For that purpose alone, he need not be detained.

In the result, this application is allowed.

- 1) The petitioner will be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.*
- 2) The petitioner shall give the sample of his voice as and*

when he is required by the Investigating Officer, for expert opinion.

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

4)He 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.

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

6)He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.

If the petitioner violates 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