

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 31ST DAY OF JULY 2015/9TH SRAVANA, 1937

Bail Appl..No. 4229 of 2015 ()

CRIME NO. 52/2015 OF KASABA POLICE STATION, KOZHIKODE DISTRICT

PETITIONER(S)/ACCUSED:

**SANTHOSH N.S AGED 32 YEARS
S/O.SASI N.K., NADUPARAMBIL HOUSE, KOLLERI (PO)
SULTHAN BATHERY, WAYANAD DISTRICT.**

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENT(S)/COMPLAINANT & STATE:

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- 1. SUB INSPECTOR OF POLICE
KASABA POLICE STATION, KOZHIKODE-673014.**
 - 2. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682031.**

BY SMT.REMA, PUBLIC PROSECUTOR

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

K. ABRAHAM MATHEW, J.

B.A. No.4229 of 2015

Dated this the 31st day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.52 of 2015 of Kasaba Police Station, Kozhikode District. He is said to have committed the offences under Sections 468 and 420 of the Indian Penal Code.

3. He was an employee of the first informant company by name Thrass India. He left the company and started working for another company.

4. The prosecution case is that even after he left the first company he used the visiting cards and identity cards of that company and canvassed business.

5. Heard.

6. The investigating officer seized identity cards and visiting cards from the petitioner's house. That alone cannot prove that he has committed the offences alleged against him. Keeping the old visiting cards or the identity cards will not attract the offences. Moreover, it can be

accepted only with a pinch of salt that he canvassed business using the visiting cards of the old company. I am satisfied that this is a fit case that 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) 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 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 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 leave India without the previous permission of the court of enquiry or trial court as the case may be.

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