

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

Bail Appl.No. 4249 of 2015

CRIME NO. 497/2015 OF OTTAPALAM POLICE STATION, PALAKKAD
.....

PETITIONER(S)/ACCUSED:

**SHAMER K., AGED 33 YEARS,
S/O.ALAVYKUTTY, KUNNATHU HOUSE, CHUNANGAD,
OTTAPALAM, PALAKKAD.**

BY ADV. SRI.T.K.SANDEEP

RESPONDENT(S)/COMPLAINANT & STATE:

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

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
04-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.4249 of 2015

Dated this the 4th day of August 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused in Crime No.497 of 2015 of Ottapalam station registered for the offences under Secs.415, 419 and 420 of the Indian Penal Code. One Shameer K. was an LIC policy holder. The prosecution case is that on maturity the L.I.C. sent a cheque to him by post. The petitioner whose name is also Shameer received it and encashed it.

3. Heard both sides.

4. It appears that this is a case of unjust engagement. Whether the ingredients of the offences are satisfied or not, is a question to be ascertained during investigation. The petitioner is ready to give security for the amount.

5. Having regard to these facts, I am inclined to grant the prayer of the petitioner.

In the result, the bail application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.50,000/- (Rupees fifty 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 appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

4) The petitioner shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioner shall not destroy or tamper with evidence nor shall he get himself

involved in any other criminal case.

6) The petitioner shall not intimidate or attempt to influence the witnesses.

7) The petitioner shall co-operate with investigation of the case.

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

/ True copy /

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P.A. To Judge