

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 30TH DAY OF JULY 2015/8TH SRAVANA, 1937

Bail Appl..No. 4259 of 2015

CRIME NO. 313/2015 OF WANDOOOR POLICE STATION, MALAPPURAM DISTRICT.

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PETITIONER/2ND ACCUSED:

ALEX ANTONY, AGED 41 YEARS,
S/O.K.J.ANTONY, KONIKKARA HOUSE,
VANIYAMBALAM P.O, POOLAKUNNU,
MALAPPURAM DISTRICT.

BY ADV. SRI.SURAJ.S

RESPONDENT(S)/COMPLAINANT:

1. STATE,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.
2. THE SUB INSPECTOR OF POLICE,
WANDOOOR POLICE STATION,
(CRIME NO.309 OF 2015) PERINTHALMANNA,
MALAPPURAM DISTRICT.

BY PUBLIC PROSECUTOR SMT.REMA.R

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-07-2015 ALONG WITH BA. 4260/2015 & CONNECTED CASES,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

mbr/

K. ABRAHAM MATHEW, J.

**B.A. Nos. 4259 of 2015, 4260 of 2015,
4261 of 2015, 4262 of 2015
& 4263 of 2015**

Dated this the 30th day of July, 2015

COMMON ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the second accused. He along with the first accused is alleged to have committed the offence under Section 420 of the Indian Penal Code.

3. The prosecution case is that they made a false promise that if the first informant in each of the cases deposited certain amount he would be paid a share in the profit and accordingly each of them deposited certain amount. But the shop of the first accused was closed without any notice and he and the petitioner left the place.

4. Heard.

5. I have perused the First Information Statement. At the end of it there is a mention that the petitioner along with the co-accused made false representations and received amounts from various persons. But in the earlier part of the statement where

the incident is narrated there is no allegation that the petitioner was involved in the transaction. Admittedly he was only an employee of the first accused. Having regard to these facts I am inclined to grant the prayer of the Petitioner for anticipatory bail.

In the result, these applications are 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. He shall appear before the investigating officer between 10 a.m to 11 a.m every alternate Wednesday for four months, or till the final report is filed whichever is earlier.

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