

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. 4550 of 2015

**CRIME NO.1105/2011 OF CHANGANASERRY POLICE STATION IN KOTTAYAM
DISTRICT WHICH IS LATER RENUMBERED AS 768/CR/12/EOW2KTM**

PETITIONER(S)/ACCUSED NO.3:

**THAMBI JACOB, AGED 56 YEARS,
S/O.K.C. CHACKO, PEEDIYAKKAL HOUSE,
KUNNAMANGALAM P.O., CALICUT.**

**BY ADVS.SRI.S.RAJEEV
SRI.ARUN.B.VARGHESE
SRI.JAYKAR.K.S.**

RESPONDENT(S)/STATE AND COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID, KOTTAYAM - 686 001.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

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

Msd.

K. ABRAHAM MATHEW, J.

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B.A.No. 4550 of 2015

Dated this the 4th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is said to have committed the offences under Sections 406 and 420 of the Indian Penal Code. The allegation is that he along with the co-accused made false promise that they would give the victim a job in Dream Touch Info Solutions, which is a company and received certain amount from him. Thereafter, they did not give him any job or return the amount.

3. Heard.

4. Learned counsel submits that the petitioner is an Advocate by profession and he was only the Legal Advisor of the company. He was arrested in some other cases of similar nature. It appears that his detention is not necessary in this case. So, I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

- 1) *The petitioner shall be released on bail 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) *The petitioner 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.*
- 3) *He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.*
- 4) *He shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every Wednesday for one month and thereafter if he is so required by the Investigating Officer in writing.*
- 5) *He shall not intimidate or attempt to influence the witnesses.*
- 6) *He shall not destroy or tamper with evidence.*
- 7) *He shall not get himself involved in any other criminal case while he is on bail.*

If the petitioner surrenders before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

In case of violation of any of the above conditions, the

B.A.No. 4550 of 2015

-: 3 :-

learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

//True copy//

P.A. To Judge