

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. 4563 of 2015

CRIME NO. 1056/2015 OF KANNUR TOWN POLICE STATION, KANNUR

PETITIONER/ACCUSED NO 2:

**MAESH P, AGED 31 YEARS
S/O.MOHANAN NAMBIAR,
PALAYEDATH HOUSE, PANOOR P O,
THALASSERY, KANNUR DISTRICT.**

**BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH**

RESPONDENTS/COMPLAINANT & STATE:

- 1. STATION HOUSE OFFICER,
KANNUR TOWN POLICE STATION,
KANNUR -670002.**
- 2. THE STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM-682031.**

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:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 4563 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, 420, 201 and 477A read with Section 34 of the Indian Penal Code. The prosecution case is that he is a member of the staff of the complainant, KTC Automobiles Private Limited. According to the prosecution, some old vehicles were found missing from the company. It was revealed that the petitioner and the other accused sold them unauthorisedly and misappropriated the amount.

3. Heard.

4. The petitioner has been allowed to continue his work with the first informant company in spite of the allegations against him, which indicates that the first informant is not serious about the allegations against the petitioner. Having regard to

these facts, I am inclined to grant his prayer.

In the result, this application is allowed.

- 1)The petitioner shall be released on bail 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 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 for interrogation if he is so required by him 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. 4563 of 2015

-: 3 :-

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

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge