

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

Bail Appl..No. 4599 of 2015 ()

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CBCID CRIME 71/CR/EOW1/KLM/15
CRIME NO. 360/2015 OF RAILWAY POLICE STATION, KOLLAM,
KOLLAM DISTRICT
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PETITIONER/ACCUSED :

**SUBHASH, AGED 52 YEARS,
S/O. JANARDHANAN, POLICE QUARTERS NO. 22,
ELAMPALLOOR, KUNDARA.**

**BY ADVS.SRI.ALAN PAPALI
SRI.SOJAN MICHEAL
SRI.NISHIL.P.S.
SRI.J.VIMAL**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
CBCID CRIME 71/CR/EOW1/KLM/15,
CRIME NO. 360/2015 OF RAILWAY POLICE STATION, KOLLAM
THIRUVANANTHAPURAM RAILWAYS - CIRCLE INSPECTOR OF POLICE
RAILWAYS THIRUVANANTHAPURAM)
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. T.Y LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

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B.A.No. 4599 of 2015

Dated this the 18th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in CBCID Crime 71/CR/EOW1/KLM/15. He is said to have committed the offences under Sections 468, 471, 409 and 420 of the Indian Penal Code.

3. He was a writer attached to the Railway Police Station, Kollam. The allegation is that he failed to remit in treasury Rs.2,42,679/- which he was entrusted with.

4. Heard.

5. The petitioner has remitted Rs.2,02,000/- in the treasury. It is submitted that, that is the real disputed amount. This may or may not be correct. But it appears that his detention is not necessary for effective investigation. So, 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.25,000/- (Rupees twenty five thousand only) 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 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