

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

Bail Appl..No. 4658 of 2015 ()

CRIME NO. 490/2013 OF SANTHANPARA POLICE STATION , IDUKKI DISTRICT

PETITIONER :

**SUBRAMANI, AGED 31 YEARS,
S/O.MANI, MALLIKAI ILLAM, NEW COLONY,
DEVIKULAM.**

BY ADV. SRI.BABU PAUL

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE STATION HOUSE OFFICER,
SANTHANPARA POLLICE STATION,
SANTHANPARA-675 212**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.4658 of 2015

Dated this the 7th day of August 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.490 of 2013 of Santhanpara Police station registered for the offences under Secs.417, 418 and 420 of the Indian Penal Code. He was the driver of a vehicle. He was entrusted with 405 bags of tea dust to be carried from Mattupetty to Hyderabad. The prosecution case is that on reaching the destination, it was found that the contents of 85 bags was replaced by soil and sawdust.

3. Heard both sides.

4. The occurrence took place on 29.09.2012. The Police was informed about one year later on 02.08.2013. The investigation has been pending for the last two years.

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.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 appear before the Investigating Officer for interrogation between 10.00 a.m. and 11.00 a.m. on 18th and 26th of this month.

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

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

5) He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

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

7) He 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