

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

Bail Appl..No. 4920 of 2015 ()

CRIME NO. 798/2015 OF MATTANCHERRY POLICE STATION, ERNAKULAM DISTRICT.

.....

PETITIONER/ACCUSED NO.2:

**SALAHUDHEEN, AGED 29 YEARS,
S/O.ISSHAK, ITTEPPADAM HOUSE, PORUR P.O.,
WANDOOR, MALAPPURAM.**

**BY ADVS.SRI.S.RAJEEV,
SRI.K.K.DHEERENDRAKRISHNAN,
SRI.V.VINAY.**

RESPONDENT & STATE:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031,
(CRIME NO.798/2015 OF MATTANCHERRY POLICE STATION,
ERNAKULAM DISTRICT).**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

=====

B.A.No. 4920 of 2015

Dated this the 17th day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No. 798 of 2015 of Mattanchery Police Station. He is said to have committed the offence under Sections 419, 468 read with Section 34 of the Indian Penal Code and Section 27(1) of the Arms Act.

3. The prosecution case is that he along with the co-accused was found to be in possession of an identity card of a Journal and some weapons like swords. The enquiry revealed that the identity card was false.

4. Heard.

5. The petitioner has been in custody since 25.07.2015. Learned counsel submits that he was an employee of the Journal and he did not forge any document as alleged by the prosecution. It appears that his further detention is not necessary for completion of the investigation. So, I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

1)The petitioner will 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 to the satisfaction of the learned Magistrate concerned.

- 2) The petitioner shall appear before the investigating officer between 10 a.m and 11 a.m. every Wednesday for three months, or till the final report is filed, whichever is earlier.*
- 3)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.*
- 4)He shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 5)He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.*
- 6)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

DST

//True copy//

P.A. To Judge