

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

Bail Appl..No. 5079 of 2015 ()

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

PETITIONER/ACCUSED NO.3:

**MIDHUN.S., AGED 30 YEARS, S/O.SIVADASAN,
KUNDUPOYIL HOUSE, CHALA EAST P.O.,
KANNUR DT.**

BY ADV. SRI.P.NARAYANAN

RESPONDENT :

**STATE OF KERALA,
THROUGH STATION HOUSE OFFICER,
KANNUR POLICE STATION,
REP. 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 04-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A.HARIPRASAD, J.

B.A. No.5079 of 2015

Dated this the 4th day of September, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the third accused in Crime No.1056 of 2015 of Kannur Town Police Station registered under Sections 420, 406, 201 and 477A read with Section 34 of the Indian Penal Code. It is alleged that the petitioner along with other accused persons caused the loss of ₹10,38,000/- to a company. Petitioner pleaded innocence.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. Learned counsel for the petitioner submitted that the first accused in the above crime was enlarged on pre-arrest bail as per order on B.A.No.4067 of 2015 dated 30.07.2015.

In the result, the petition is allowed with the following directions:

i. The petitioner shall be released on bail after interrogation on his executing a bond for ₹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.

ii. He shall appear before the investigating officer for interrogation if he is so required by him writing.

iii. 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.

iv. He shall not get himself involved in any other criminal case while he is on bail.

v. He shall not destroy or tamper with evidence.

vi. He shall not intimidate or attempt to influence the witnesses.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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