

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

Bail Appl..No. 5202 of 2015 ()

CRIME NO. 1462/2014 OF KALAMASSERY POLICE STATION , ERNAKULAM

PETITIONER/ACCUSED NO 5 :

**ARUNKUMAR, AGED 42 YEARS,
S/O. P UDAYABANU, "SANTHI MANDIRAM, NALKAVAL,
KOLLAD POST, PANACHIKKAD, KOTTAYAM
NOW RESIDING AT FLAT NO 89B, VESSCO BUILDING,
VADAVATHOOR POST, THANNIKKALPADY, MANARKKAD
KOTTAYAM**

**BY ADVS.SRI.M.H.HANIL KUMAR
SRI.M.R.DHANIL**

RESPONDENTS/COMPLAINANT/STATE :

- 1. SUB INSPECTOR OF POLICE
KALAMASSERY POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM COCHIN 682 031**
- 2. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**

R1 & R2 BY PUBLIC PROSECUTOR

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A No.5202 of 2015

Dated this the 16th day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the 5th accused in Crime No.1462/2014 of Kalamassery Police Station registered for offences punishable under Sections 406 and 420 r/w Section 34 I.P.C and Section 3 (1)(IV)(V) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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

4. Prosecution case, in short, is that the accused persons cheated the defacto complainant. The petitioner (5th accused) is an active participant in the commission of offences. Considering the fact that the petitioner was arrested on 12-08-2015 and the stage of investigating, I find that bail can be granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on 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 having jurisdiction.

2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Sundays between 10.00 and 11.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

**Sd/-
A.HARIPRASAD,
JUDGE.**

//True copy//

amk

P.A to Judge