

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

Bail Appl..No. 5242 of 2015 ()

CRIME NO. 338/2015 OF BALUSSERY POLICE STATION, KOZHIKODE DISTRICT

PETITIONERS/ACCUSED :

1. **ABDUL BASHEER PUTHUPPADY**
S/O.LATE U.K.ALIKUTTY HAJI, AGED 42 YEARS
UMMINIKKUNNEMMEL HOUSE, UNNIKULAM P.O.,
POONOOR, KOZHIKODE.
2. **ASHRAF ALI M.P.,**
AGED 41 YEARS, S/O.AHAMMED HAJI,
MADATHUMPOYIL HOUSE, UNNIKULAM P.O.
POONOOR, KOZHIKODE.
3. **SAUDHA JALEEL**
AGED 35 YEARS, W/O.ABDUL JALEEL,
UMMINIKKUNNEMMEL HOUSE
UNNIKULAM P.O., POONOOR, KOZHIKODE.

BY ADV. SRI.R.ABDUL AHAD

RESPONDENT/COMPLAINANT :

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

A.HARIPRASAD, J.

B.A.No.5242 of 2015

Dated this the 11th day of September, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioners are the accused in Crime No.338 of 2015 of Balusserry Police Station registered for the offences punishable under Sections 420, 447, 468 and 471 r/w Section 34 of the Indian Penal Code.

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

4. Learned counsel for the petitioners submitted that this is a false case filed against the petitioners. Actually, there is a civil dispute between the parties. First accused in the crime filed a suit, O.S.No.139 of 2015 before the Munsiff's Court, Koyilandy and the matter is pending before that court.

5. Considering the nature of allegations, I am inclined to grant anticipatory bail to the petitioners with the following conditions:

(a) Petitioners shall surrender before the

Investigating Officer within a period of 'two weeks' from today and submit themselves for interrogation. Thereafter, they shall be released on bail on their executing a bond for ₹25,000/- (Rupees Twenty Five Thousand Only) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

- (b) The petitioners shall appear before the Investigating Officer as and when required for the purpose of interrogation.
- (c) The petitioners shall co-operate with the investigation of the case.
- (d) The petitioners shall not intimidate or attempt to influence the witnesses.
- (e) The petitioners shall not in any manner interfere or meddle with the investigation.
- (f) Petitioners shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge