

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. 5390 of 2015

CRIME NUMBER NOT KNOWN OF ADOOR POLICE STATION, KOLLAM DISTRICT.
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PETITIONER(S)/ACCUSED :

- 1. SREEJITH, AGED 34 YEARS,
S/O. SREENIVASAN, THOOLIKA, TITANIUM P.O,
KOCHUVELI, THIRUVANANTHAPURAM**
- 2. TOMINA JUSTIN, AGED 44 YEARS,
W/O. JUSTIN, C.H. HOUSE, TITANIUM P.O,
KOCHUVELI, THIRUVANANTHAPURAM.**

BY ADV. SRI.P.ANOOP (MULAVANA)

RESPONDENT(S):

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

***ADDL. R2 IMPEADED**

- 2. P.N.VISWAMBHARAN, S/O.NARAYANAN,
AGED 54 YEARS, CHENKILATHU THARAYIL HOUSE,
NOORANADU VILLAGE, EDAKKUNNAM,
MAVELIKKARA TALUK, PATHANAMTHITTA.**

**ADDL. R2 IS IMPEADED AS PER ORDER DATED 11.09.2015 IN
CRL.M.A.9130/2015 IN B.A.5390/2015.**

**R1 BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN
ADDL.R2 BY ADVS. SRI.KRISHNA PRASAD. S
SRI.NOBEL RAJU**

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

mbr/

A.HARIPRASAD, J.

B.A. No.5390 of 2015

Dated this the 11th day of September, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused in Crime No.1691 of 2015 of Adoor Police Station registered for offence punishable under Section 420 of the Indian Penal Code.

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

4. It is alleged by the defacto complainant that the petitioners with a promise to reconstruct the existing structure and make additional constructions, received ₹26,00,000/- from the defacto complainant and thereafter they cheated him. It is also submitted that they have done similar crimes against other persons also.

4. Learned counsel for the petitioners submitted that petitioners are not involved in any offence.

Considering the nature of allegations, following directions are issued:

i. Petitioners shall appear before the investigating officer within a period of two weeks and submit themselves for interrogation.

Thereafter each one of them shall execute a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer. In that event, they shall be released on bail in Crime No.1691 of 2015 of Adoor Police Station.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. Petitioners shall appear before the Investigating Officer as and when directed for the purpose of investigation in the matter.

iv. Petitioners shall not influence or intimidate the witnesses. They shall not meddle in any manner with the investigation.

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

A. HARIPRASAD, JUDGE.

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