

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937H

Bail Appl..No. 5681 of 2015 ()

CRIME NO. 373/2015 OF WANDOOR POLICE STATION, MALAPPURAM DISTRICT

PETITIONER/ACCUSED:

SUNIL THOOKARAM SHINDE,
S/O. THOOKARAM SHINDE, AGED 39 YEARS,
PRAMJAL ENTERPRISES, OLD BHARATH NAGAR,
HP COLONY, ROOM NO.14/4/10,
VASI NAGAR, MUMBAI, MAHARASHTRA STATE.

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT/COMPLAINANT:

STATE OF KERALA,
REP. BY THE SUB INSPECTOR OF POLICE,
WANDOOR POLICE STATION,
MALAPPURAM DISTRICT, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A.HARIPRASAD, J.

B.A. No.5681 of 2015

Dated this the 22nd day of September, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.373 of 2015 of Wandoor Police Station registered for offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. Prosecution case, in short, is that the petitioner along with other accused persons through internet promised to arrange a job visa to the defacto complainant and received huge amounts. Petitioner allegedly received ₹4,50,000/- on 13.04.2015. The total amount allegedly defrauded by the accused persons comes to ₹70,65,800/-.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application contending that report submitted by the investigating officer shows the non co-operation of the petitioner in the further investigation. That apart, a split charge has been filed against the petitioner within sixty days. The bail application is opposed for a further reason that the petitioner is a person hailing from Maharashtra State and so he is likely to abscond making him unavailable for trial.

Considering the stage of investigation and the entire facts and circumstances, bail is granted to the petitioner with the following strict conditions:

- i. Petitioner shall be released on bail on executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the Magistrate having jurisdiction.
- ii. The sureties shall produce documents to establish their identity and solvency. The sureties shall be natives of Kerala. Wife of the petitioner shall be an additional surety for the said amount.
- iii. The petitioner shall appear before the trial court on all posting dates without any breach.
- iv. The petitioner shall not indulge in any offence while on bail.
- v. 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.

A. HARIPRASAD, JUDGE.

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