

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

Bail Appl..No. 5971 of 2015

CRIME NO. 1675/2015 OF CENTRAL POLICE STATION, ERNAKULAM
.....

PETITIONER(S)/ACCUSED NO.1:

**VIPIN LOUIZ, AGED 28 YEARS,
S/O.LOUIZ, SHAKTHI ILLAM,
KUDUMBANNOOR, NEMOM P.O.,
THIRUVANANTHAPURAM.**

BY ADV. SRI.K.R.VINOD

RESPONDENT(S):

**STATE OF KERALA,
REP; BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM - 682 031.**

BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
28-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD, J.

B.A.No.5971 of 2015

Dated this the 28th day of September, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. The petitioner is the 1st accused in Crime No.1675/2015 of Ernakulam Central Police Station, registered for offences under Sections 489(B) and 489 (C) r/w Section 34 of the Indian Penal Code.

3. The prosecution allegation is that on 14.09.2015 at about 02.15 p.m., the petitioner and the second accused went to the ICICI Bank, M.G. Road, Ernakulam for depositing ₹9,50,000/- On inspection, it was found that one bundle of notes of ₹100 denomination was fake currency.

4. Heard both sides.

5. Learned counsel for the petitioner contended that the petitioner is innocent of all allegations and he had no *mens rea* to possess the fake currency.

6. The learned Prosecutor opposed the bail application. The second accused was released on bail by

this Court as per order dated 23.09.2015 in B.A.No.5911 of 2015.

7. Considering the nature of allegations, the stage of investigation and the fact that the co-accused has been released on bail, I am inclined to grant bail to the petitioner with the same conditions:

- i. The 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 learned Magistrate having jurisdiction.
- ii. 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.
- iii. The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.
- iv. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m until final report is filed.

- v. The petitioner shall not indulge in any offence while on bail.
- vi. 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.

AS

/True Copy/

P.A. to Judge