

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

Bail Appl..No. 6064 of 2015 ()

CRIME NO. 344/2015 OF KAMBALAKKAD POLICE STATION, WAYANAD DISTRICT

PETITIONER/ACCUSED NO.1 :

**MUHAMMEDALI P.A.,
S/O. AVULLA, AGED 32 YEARS
PUNATHILKANDY HOUSE, ARAMBATTAKUNNU P.O.,
VYTHIRI TALUK, WAYANAD DISTRICT.**

**BY SENIOR ADVOCATE SRI.M.RAMESH CHANDER
BY ADVS.SRI.ANEESH JOSEPH
SMT.DENNIS VARGHESE**

RESPONDENT/COMPLAINANT & STATE :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, KOCHI - 682 031.**

BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-10-2015,
ALONG WITH BA NO. 6065/2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A Nos.6064 & 6065 of 2015

Dated this the 7th day of October, 2015.

COMMON ORDER

Applications for pre-arrest bail under Section 438 Cr.P.C.

Petitioner in both the cases is the same.

2. Petitioner is the accused in Crime Nos.326 and 344 of 2015 of Kambalakkad Police Station. Both the cases are registered for offences punishable under Sections 420 I.P.C.

3. Common allegation is that the petitioner received Rs.25,000/- and passport from the defacto complainants promising that he would make arrangement to take the defacto complainants as Haj volunteers and during the holy period the defacto complainants to do Umra. Later, the defacto complainants realised that they were duped.

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

5. The case of the petitioner is that the fourth accused in fact petitioner himself and he duped not only the defacto

complainants but also the petitioner. According to him, he is also a victim of cheating. Considering the nature of allegation, I find that pre-arrest bail can be granted to the petitioner with following conditions :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, the petitioner shall be released on bail on executing two bonds for Rs.25,000/- (Rupees twenty five thousand only) in each crimes with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency.
3. Petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.

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