

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P. JOSEPH

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

Bail Appl..No. 6207 of 2015 ()

**CRIME NO. 954/2015 OF KATTAPPANA POLICE STATION,
IDUKKI DISTRICT**

PETITIONERS/ACCUSED :

- 1. C.B. SANTHOSH, AGED 47 YEARS,
KASTHUBHATHIL HOUSE, PARAKADAVU, KATTAPPANA.**
- 2. SOBHANA, W/O.SANTHOSH, AGED 42 YEARS,
KASTHUBHATHI HOUE, PARAKADAVU, KATTAPPANA.**

BY ADV. SRI.S.SACHITHANANDA PAI

RESPONDENT/RESPONDENT :

**STATE OF KERALA
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA**

BY PUBLIC PROSECUTOR SMT. BINDU GOPINATH

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

bp

BABU MATHEW P. JOSEPH, J.

B.A. No. 6207 of 2015

Dated this the 11th day of November, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C for anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and the learned public prosecutor appearing for the respondent. C.D. produced.

3. The petitioners are accused 1 and 2 in Crime No.954 of 2015 of Kattappana Police Station. The offences alleged are under Sections 465, 468, 471, 419 and 420 read with Section 34 of IPC. The learned counsel for the petitioners submits that the petitioners are innocent of the allegations raised against them. They have no criminal antecedents. The 1st petitioner is working as a driver in a Panchayat and the 2nd petitioner is a lecturer in a Polytechnic. They are husband and wife. The alleged transactions had taken place in 2005 and

2008. The investigation of the case has progressed much. The custodial interrogation of the petitioners is not required. He further submits that the petitioners apprehend arrest by the police at any time.

4. Learned public prosecutor has opposed this petition. She submits that the investigation is yet to be completed. She further submits that no criminal antecedents have been reported against the petitioners. On considering the facts and circumstances, stage of the investigation and the fact that no criminal antecedents have been reported against the petitioners, this Court is of the view that the petitioners can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioners are granted anticipatory bail subject to the following conditions:

1. The petitioners shall surrender before the Investigating Officer on or before 19.11.2015. In the event of their arrest, they shall be released on bail on their executing bonds 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.

2. The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.
3. The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.
4. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.
5. The petitioners shall not commit any similar offence while on bail.
6. The petitioners shall not leave India without the previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE