

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 6309 of 2015 ()

**CRIME NO. 921/2015 OF PERINTHALMANNA POLICE STATION,
MALAPPURAM DISTRICT**

PETITIONER/ACCUSED :

**NOUSHADALI, AGED 42 YEARS,
S/O.MOHAMMED, KUNIKKADAM HOUSE,
CHANGATTUPURAM P.O.,
CHERUKODE VILLAGE, NILAMBUR TALUK,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.SAMSUDIN
SRI.JITHIN LUKOSE**

RESPONDENT/COMPLAINANT :

**THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.
(CRIME NO. 921/2015 OF PERINTHALMANNA
POLICE STATION).**

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.6309 of 2015

Dated this the 14th day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.921 of 2015 of Perinthalmanna Police Station registered for offences punishable under Sections 420, 411 and 406 read with Section 34 of the Indian Penal Code.

3. A private complaint was filed before the learned Magistrate alleging the said offences which was forwarded under Section 156(3) of the Code of Criminal Procedure for investigation.

4. Heard both sides.

5. It appears that there is a monetary dispute between the petitioner and the defacto complainant in connection with a car deal. Annexure-A5 is the complaint filed by the petitioner before the Police narrating his version.

Considering the nature of allegations, there is no reason to find that custodial interrogation is necessary in this case. Therefore following directions are issued:

i. Petitioner shall surrender before the investigating officer within a period of one week and submit himself for interrogation.

Thereafter he 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, he shall be released on bail in Crime No.921 of 2015 of Perinthalmanna Police Station.

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

iii. He shall appear before the investigating officer as and when directed in writing and co-operate with the investigation in the matter.

iv. He shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the officer concerned is free to arrest the petitioner as if no order is passed.

A. HARIPRASAD, JUDGE.

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