

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

Bail Appl..No. 6359 of 2015

CRIME NO. 551/2015 OF KASARGOD POLICE STATION , KASARGOD

PETITIONERS:

1. LAKSHMI, W/O.BALAKRISHNAN NAIR AGED 52 YEARS
VALLIYODAN KOLOTT HOUSE, KOLOTT, KOLATHUR
KASARGOD, DISTRICT
2. V.PRADEEP AGED 31 YEARS
S/O.BALAKRISHNAN NAIR, VALLIYODAN KOLOTT HOUSE, KOLOTT
KOLATHUR, KASARGOD, DISTRICT

BY ADV. SRI.PRASAD CHANDRAN

RESPONDENTS:

1. THE STATE OF KERALA
REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM
2. THE SUB INSPECTOR OF POLICE
KASARGOD POLICE STATION, KASARGOD 671 121.

R BY PUBLIC PROSECUTOR SRI. RJI JOSEPH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
18-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

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B.A. No. 6359 of 2015

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Dated this the 18th day of December, 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 respondents. C.D. produced.

3. The petitioners are accused 1 and 2 in Crime No. 551 of 2015 of Kasaragod Police Station. The offences alleged are under Sections 418, 465, 468, 471 and 420 read with Section 34 of IPC. Learned counsel for the petitioners submits that the first petitioner is the mother of the second

petitioner. They are innocent of the allegations raised against them. They have no criminal antecedents. The investigation of the case is almost over. The custodial interrogation of the petitioners is not required. He further submits that the petitioners apprehend arrest by the police at any time.

4. The learned Public Prosecutor has opposed this petition. He admits the fact that the investigation of the case has progressed much. He 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.

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

- 1) The petitioners shall surrender before the

Investigating Officer on or before 30.12.2015. In the event of their arrest, they shall be released on bail on their executing bonds for Rs. 25,000/- (Rupees twenty five thousand) 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 application is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

ks.

True copy

P.S. (Hr.Gr.)To Judge

