

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

Bail Appl..No. 6542 of 2015 ()

CRIME NO. 1538/2014 OF WADAKKANCHERY POLICE STATION, TRISSUR DISTRICT

PETITIONER/ACCUSED NO. 2 :

**IBRAHIM,
AGED 53 YEARS, S/O.MOITHUNNI,
CHERUVAYIL HOUSE, VIRUPAAKKA VILLAGE
THEKKUMKARA, THRISSUR – 680589.**

**BY ADVS.SRI.A.RANJITH NARAYANAN
SMT.A.SIMI**

RESPONDENT :

**STATE OF KERALA
REPRESENTED BY THE LEARNED PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.
REPRESENTING THE S.I. OF POLICE
WADAKKANCHERRY POLICE STATION,
THRISSUR – 680 001**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.6542 of 2015

Dated this the 29th day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Second accused in Crime No.1538 of 2014 of Wadakkancherry Police Station registered for offences punishable under Sections 416, 420 and 468 read with Section 34 of the Indian Penal Code seeks pre-arrest bail.

3. A complaint was filed before the Magistrate alleging the said offences which was forwarded for investigation under Section 156(3) of the Code of Criminal Procedure. It appears that there is a dispute between the defacto complainant and the accused persons in respect of sale of a property.

4. Heard both sides.

5. This Court has granted anticipatory bail to one of the accused as per order on B.A.No.5161 of 2015 on 08.09.2015

Considering the nature of allegations and the fact that one of the accused has been enlarged on pre-arrest bail, the application is allowed with following conditions:

i. In the event of arrest in Crime No.1538 of 2014 of the Wadakkancherry Police Station, petitioner shall be released on bail on executing 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.

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