

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. 6562 of 2015 ()

CRIME NO. 2745/2015 OF ALUVA EAST POLICE STATION , ERNAKULAM DISTRICT

PETITIONER/ACCUSED NO.1:

**BHANWARLAL RAJ PUROHIT, AGED 32 YEARS,
S/O.BHUDHARJI, SAILA VILLAGE, SAILA TALUK,
JALOR DISTRICT, RAJASTHAN STATE.**

BY ADVS.SRI.SERGI JOSEPH THOMAS

**SRI.K.SHAJ
SRI.SAJJU.S
SRI.RENJIT GEORGE
SMT.ANJU MOHAN
SRI.S.VISHNU (ARIKKATTIL)
SRI.C.IJLAL**

RESPONDENT(S)/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 31.**
- 2. SUB INSPECTOR OF POLICE,
ALUVA EAST POLICE STATION,
ERNAKULAM - 682 016.**

BY ADDL.DIRECTOR GENERAL OF PROSECUTION SRI.K.I.ABDUL RASHEED

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

sts

A.HARIPRASAD, J.

B.A.No.6562 of 2015

Dated this the 29th day of October, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the 1st accused in Crime No.2745 of 2015 of Aluva East Police Station registered for the offences punishable under Sections 489 (B) & 489(C) of the Indian Penal Code.

3. Prosecution case is that on 20.08.2015, the petitioner attempted to exchange fake currency with genuine notes. He was possessing 14 notes of ₹500 denomination.

4. Heard both sides.

5. Learned Additional Director General of Prosecutor opposed the bail application contending that accused 2 and 4 are yet to be arrested. The learned Sessions Judge had granted bail to the 3rd accused. Learned Additional Director General of Prosecutor contended that in spite of effecting recovery of fake currency from the house of the accused 2 and 3, the

learned Sessions Judge had granted bail to him which is now challenged before this Court in another proceeding.

6. Learned counsel for the petitioner submitted that for more than 60 days, the petitioner is in custody and the investigation insofar as this petitioner is concerned has advanced to a considerable extent.

7. Considering the stage of investigation in respect of this petitioner and the fact that the petitioner is a person hailing from the State of Rajasthan, I am inclined to grant bail to the petitioner with the following strict conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹5,00,000/- (Rupees five lakhs only) with two solvent sureties for the like sum to the satisfaction of the JFCM-I, Aluva.
- (b) The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on solvency certificate, but other documents can also be

perused to find out whether the sureties are solvent or not.

- (c) The sureties shall be persons hailing from and permanent natives of State of Kerala.
- (d) The petitioner shall appear before the Investigating Officer on all Mondays, Wednesdays and Fridays between 09.00 a.m and 10.00 a.m. until the final report is filed.
- (e) The petitioner shall provide to the Investigating Officer his permanent address, phone number and e-mail id, if any, for contact.
- (f) The petitioner shall not leave the limits of Ernakulam District without the permission of the Magistrate having jurisdiction.
- (g) The petitioner shall surrender his passport forthwith before the learned Magistrate. If he does not have a passport, he shall file an affidavit to that effect.

- (h) The petitioner shall not intimidate or attempt to influence the witnesses.
- (i) The petitioner shall not in any manner interfere or meddle with the investigation.
- (j) Th petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge