

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. 6671 of 2015 (D)

CRIME NO. 1391/2015 OF KOLLAM WEST POLICE STATION , KOLLAM

PETITIONERS/ACCUSED 2 TO 4:

1. CHANDASEKHARA PILLAI, AGED 64 YEARS
S/O.NARAYANA PILLAI, MANAGLATH HOUSE
THIRUVMULLAVARM PO, KOLLAM DISTRICT, PIN-691012.
2. VISHNU MANGALATH, AGED 29 YEARS
S/O.CHANDASEKHARA PILLAI, MANAGLATH HOUSE
THIRUVMULLAVARM PO, KOLLAM DISTRICT, PIN-691012.
3. HARI MANAGALATH @ ARJUN AGED 24 YEARS
S/O.CHANDRASEKHARA PILLAI, MANAGLATH HOUSE
THIRUVMULLAVARM PO, KOLLAM DISTRICT, PIN-691012.

BY ADV. SRI.B.RENJITHKUMAR

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE STATION HOUSE OFFICER
KOLLAM WEST POLICE STATION
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JUSTIN JACOB

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

BABU MATHEW P. JOSEPH, J.

B. A. No.6671 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.

3. The petitioners are accused 2 to 4 in Crime No.1391 of 2015 of Kollam West Police Station. The offences alleged are under Sections 406, 409, 420, 468 and 477A read with Section 34 of IPC. Learned counsel for the petitioners submits that the first petitioner is the father of the petitioners 2 and 3. The petitioners are aged 64, 29 and 24 respectively. The second petitioner is an engineer and the third petitioner is a doctor. They have no criminal antecedents except the four cases registered against them alleging the commission of similar offences. The investigation of the case is almost over. The custodial

interrogation of the petitioners is not required. In all the cases, the first accused is the wife of the first petitioner. In crime No.1783 of 2014, the first accused was already arrested by the police and subsequently, she was released on bail. The petitioners 1 to 3 herein were granted anticipatory bail in that case by this Court by order dated 20-12-2014 in B.A. No.8888 of 2014 and two connected cases. In another case of similar nature, by order passed by this Court today, the petitioners were granted anticipatory bail. Since the allegations are only similar, the petitioners may be granted anticipatory bail in this case. The police has registered this case based on a private complaint preferred by the de facto complainant. He further submits that the petitioners apprehend arrest by the police at any time.

4. Learned Public Prosecutor has opposed this petition. He admits the fact that the investigation of the case has progressed much. He further submits that, except the four cases of similar nature registered against the petitioners, no criminal antecedents have been reported against them. On

considering the facts and circumstances, stage of the investigation and the fact that the petitioners were already granted anticipatory bail in other similar cases, 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 twentyfive 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

kns/-

//TRUE COPY//

P.A. TO JUDGE

