

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

Bail Appl..No. 6799 of 2015 ()

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CRIME NO. 1716/2015 OF PAVARATTY POLICE STATION, THRISSUR DISTRICT.**

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PETITIONER/1ST ACCUSED:

**NISHANTH. P.D., AGED 35 YEARS,
S/O.DASAN, PUTHIYEDATH HOUSE,
NADUVILKARA P.O., VATANAPPILLY,
CHAVAKKAD TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT.

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A.No.6799 of 2015

Dated this the 3rd day of November, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the 1st accused in Crime No.1716 of 2015 of Pavaratty Police Station registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. Prosecution case is that the petitioner, along with his wife, runs a business in Ernakulam in manpower recruitment. He promised the defacto complainant a huge profit on making an investment. Attracted by that offer, he invested an amount of ₹15,00,000/- in the business of the petitioner and the petitioner cheated him, is the allegation.

4. Heard both sides.

5. It is submitted by the learned counsel for the petitioner that after serving Annexure-A notice, his wife was arrested and later, she was released on bail. This is a false case foisted against the petitioner.

6. Considering the nature of allegations and after

hearing both sides, I am of the view that no custodial interrogation is necessary. Hence, the following conditions are issued:

- (a) Petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. Thereafter, he shall be released on bail on his executing a bond for ₹25,000/- (Rupees Twenty Five Thousand Only) with two solvent sureties for the like sum to the satisfaction of the Investigating Officer.
- (b) The petitioner shall appear before the Investigating Officer as and when required for the purpose of interrogation.
- (c) The petitioner shall co-operate with the investigation of the case.
- (d) The petitioner shall surrender his passport before the learned Magistrate having jurisdiction within a period of two weeks from

today. If he does not have a passport, he shall file an affidavit to that effect.

- (e) The petitioner shall not intimidate or attempt to influence the witnesses.
- (f) The petitioner shall not in any manner interfere or meddle with the investigation.
- (g) The 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.

A.HARIPRASAD, JUDGE.

AS