

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

Bail Appl..No. 6802 of 2015

CRIME NO. 979/2015 OF TOWN POLICE STATION, KOZHIKODE

PETITIONER(S)/1ST ACCUSED:

1. MUHAMMED RAFIQUE, AGED 37 YEARS,
S/O.P.A.MOHAMMED, POOVATHIL HOUSE, TOLL GATE,
EDAPALLY P.O.- 682024.
2. NIMITHA RAFIQUE, AGED 29 YEARS,
W/O.MUHAMMED RAFIQUE, POOVATHIL HOUSE, TOLL GATE,
EDAPALLY P.O.- 682024.

**BY ADVS.SRI.C.A.MAJEED
SRI.K.H.ASIF**

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. STATION HOUSE OFFICER,
TOWN POLICE STATION, KOZHIKODE CITY,
KOZHIKODE DISTRICT.

BY PUBLIC PROSECUTOR SMT.R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A No.6802 of 2015

Dated this the 30th day of September, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.979 of 2015 of Town Police Station, Kozhikode City registered for offences punishable under Sections 408 and 418 r/w Section 34 I.P.C and Sections 63, 63(b) and 69 of the Copyright Act.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. Learned counsel for the petitioners contended that on the basis of a false complaint filed by a business rival the case has been registered.

5. Considering the nature of allegations, I find that bail can be granted to the petitioners. Hence, following directions are made :

1. Petitioners shall surrender before the investigating officer within a period of one week from today and submit themselves for interrogation. In that event, they shall be

released on bail on executing a bond for Rs.25,000/- each (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. Petitioners shall appear before the Investigating Officer as and when directed.
4. Petitioners shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioners, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.
//True copy//

P.A to Judge