

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

Bail Appl..No. 7048 of 2015

CRIME NO. 44/2014 OF KADAVANTHRA POLICE STATION, ERNAKULAM DISTRICT.
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PETITIONER/3RD ACCUSED:

**MANIKANDAN, AGED 53 YEARS,
S/O. BHARATHAN MENON, ERADI VEETIL,
CHUTTUPADU KARA, EDAPPALLY P.O.,
ERNAKULAM.**

**BY ADVS.SRI.N.ASHOK KUMAR
SRI.N.C.SAJITH**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.7048 of 2015

Dated this the 16th day of November, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Third accused in Kadavanthra Police Station Crime No.44 of 2014 alleging offences punishable under Sections 120B, 406, 420, 468 and 471 read with Section 34 of the Indian Penal Code seeks pre-arrest bail.

3. Prosecution case is that there was an agreement to assign the land belonging to the first accused to the defacto complainant. In violation of that agreement, the first accused assigned the land to the second accused. Petitioner (third accused) is only a document writer who prepared the assignment deed.

4. Heard both sides.

Considering the nature of allegations, I do not find any necessity to have a custodial interrogation in this case. Hence the following order:

i. In the event of arrest in Crime No.44 of 2014 of Kadavanthra 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 shall 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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