

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937

Bail Appl..No. 7254 of 2015 ()

CRIME NO. 1360/2015 OF TOWN NORTH POLICE STATION, PALAKKAD

PETITIONERS/ACCUSED :

**KASIM,
S/O. MUHAMMED, AGED 36 YEARS
CHOLAYIL HOUSE, JAINIMEEDU
VADAKKANTHARA, PALAKKAD.**

BY ADV. SRI.T.K.SANDEEP

RESPONDENT/COMPLAINANT/STATE :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.No.7254 of 2015

Dated this the 24th day of November, 2015

ORDER

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

2. Petitioner apprehends arrest in Crime No.1360 of 2015 of the Town North Police Station, Palakkad registered for the offences punishable under Sections 420, 294(b) and 506(i) of the Indian Penal Code

3. Prosecution case is that defacto complainant is the cousin of the petitioner. Since the accused experienced financial difficulty some years before the defacto complainant had given him 1 ½ sovereigns of gold and ₹5,000/-. That was not returned. When defacto complainant's house was gutted by fire, the accused helped him to rebuild the house. Thereafter, the accused told the defacto complainant that the former had incurred some debts in that regard. Believing the words of the accused, the defacto complainant gave him 4½ sovereigns of gold and ₹35,000/- on two occasions. When

the same was demanded back, the accused threatened and abused the defacto complainant.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor.

5. Considering the materials in the F.I.S and other records, I am of the view that no custodial interrogation is necessary in this case. Hence, the following directions are issued:

- (a) In the event of arrest in Crime No.1360 of 2015 of the Town North Police Station, Palakkad, the petitioner shall be released on bail on 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 directed for the purpose of interrogation.
- (c) The petitioner shall co-operate with the

investigation of the case.

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

AS

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

P.A. To Judge