

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Bail Appl..No. 7340 of 2015

CRIME NO. 749/2015 OF ELOOR POLICE STATION, ERNAKULAM
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PETITIONER(S)/2ND ACCUSED:

**ISHAQ, AGED 26 YEARS,
S/O.ISMAIL, CHULLIPARAMBIL HOUSE, PEARL GARDEN,
KADUNGALLOOR EAST, ALUVA ERNAKULAM DISTRICT.**

BY ADV. SRI.P.A.ISMAIL

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
21-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv

A.HARIPRASAD, J.

B.A. No.7340 of 2015

Dated this the 21st day of December, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the second accused in Crime No.749 of 2015 of Eloor Police Station registered for offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code.

3. Prosecution case is that the petitioner and his father took the defacto complainant to Qatar promising him a job. They received money for the job visa. Later they failed to pay the promised amount as salary. Accused persons took credit cards in the name of the defacto complainant and withdrew money from various banks mulcting financial liability on the defacto complainant.

4. Heard both sides.

I have gone through the case diary. Materials in the case diary do not prompt me to grant a blanket anticipatory bail order to the petitioner. Therefore, following directions are issued:

Petitioner shall surrender before the investigating officer within a period of two weeks from today and after questioning him the officer

concerned shall produce him before the court on the same day. In that event the petitioner is free to move for regular bail and the learned Magistrate shall consider the application on merits and pass appropriate orders as expeditiously as possible, if possible on the date of filing itself. If petitioner does not surrender before the investigating officer within the said time, the investigating officer is free to arrest him, as if no order is passed in this case.

Application is disposed of.

A. HARIPRASAD, JUDGE.

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