

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Bail Appl..No. 7445 of 2015 ()

CRIME NO. NOT KNOWN OF KATTAPPANA POLICE STATION, IDUKKI DISTRICT

PETITIONER :

- 1. RASHEED E.H.,
S/O.HASANKUNJ, AGED 57 YEARS
RESIDING AT ELLATHUPARAMBIL HOUSE
KATTAPPANA P.O., KATTAPPANA-685508.**
- 2. NAJEEB RASHEED
S/O.RASHEED E.H., AGED 27 YEARS
RESIDING AT ELLATHUPARAMBIL HOUSE
KATTAPPANA P.O., KATTAPPANA-685508.**

BY ADV. SRI.E.A.BIJUMON

RESPONDENT :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM.
REPRESENTING THE S.I. OF POLICE
KATTAPPANA POLICE STATION,
IDUKKI DISTRICT.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.7445 of 2015

Dated this the 25th day of November 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos.1 and 2 in Crime No.1432 of 2015 of Kattappana Police station registered for the offence punishable under Sec.420 of the Indian Penal Code.

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

4. Learned Public Prosecutor submitted that the 1st petitioner is not arrayed as an accused in this case. The allegation against the 2nd petitioner is that there was a transaction in respect of a car and in which case, the 2nd petitioner failed to fulfill the promise to pay money to the defacto complainant.

5. Considering the nature allegations, I am of the view that custodial interrogation of the petitioner is not necessary. Hence, pre arrest bail is granted to the 2nd petitioner with the following conditions.

1. In the event of arrest in Crime No.1432

of 2015 of Kattappana Police station, the petitioner shall be released on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer making the arrest.

2. The petitioner shall appear before the Investigating Officer for interrogation as and when directed by him in writing.

3. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

6. The bail application as regards the 1st petitioner is concerned is dismissed.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /
P.A. To Judge