

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

Bail Appl..No. 7503 of 2015

CRIME NO. 659/2015 OF NEDUMKANDAM POLICE STATION, IDUKKI

PETITIONER(S)/1ST ACCUSED:

**ARJUN SATHEESAN, AGED 24 YEARS,
S/O.SATHEESAN, RAJAKKAD, MAMMATIKKANAM P.O.,
IDUKKI DISTRICT.**

BY ADV. SRI.I.V.PRAMOD

RESPONDENT(S)/COMPLAINANT/STATE:

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

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No. 7503 of 2015

Dated this the 3rd day of December, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.659 of 2015 of Nedumkandam Police Station registered for offences punishable under Sections 465, 471, 472 and 420 r/w Section 34 I.P.C.

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

4. Prosecution case, in short, is that the first accused is an auto consultant and the second accused is the owner of an auto rickshaw. Second accused entrusted money to the first accused for remitting road tax for the auto rickshaw. It is alleged that the first accused created false documents showing that welfare contribution was remitted before paying the road tax.

5. Learned counsel for the petitioner submitted that the first accused allegedly paid road tax on the basis of a receipt evidencing payment of welfare fund for the previous year. Later, the contributions of welfare fund was paid. According to the learned

counsel for the petitioner he is innocent of all allegations. Considering the nature of allegations, I am of the view that custodial interrogation of the petitioner is not necessary. Hence, following directions are made :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, the petitioner shall be released on bail on 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.
2. The sureties shall produce documents to establish their identity and solvency. The Investigating Officer 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. Petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.

amk

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PA to Judge