

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. 7506 of 2015 ()

CRIME NO. 3072/2015 OF PATHANAMTHITTA POLICE STATION.

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PETITIONER/2ND ACCUSED:

**T. RAMKUMAR, AGED 55 YEARS,
S/O. NARAYANA THARAKAN, THODAMKANATHU HOUSE,
CHUNANGADU P.O., OTTAPALAM, PALAKKAD DISTRICT.**

BY ADV. SRI.ALIAS M.CHERIAN.

RESPONDENTS/STATE & COMPLAINANTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM-682 031.**
- 2. THE CIRCLE INSPECTOR OF POLICE,
PATHANAMTHITTA POLICE STATION,
PATHANAMTHITTA-689 645.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

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

rs.

A.HARIPRASAD, J.

B.A.No.7506 of 2015

Dated this the 3rd day of December, 2015

ORDER

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

2. Petitioner is the 2nd accused in Crime No.3072 of 2015 of Pathanamthitta Police Station registered for the offences punishable under Sections 467, 468, 471 and 420 r/w Section 34 of the Indian Penal Code.

3. Petitioner and the first accused are partners in a firm by name Kumar and Kumar Associates. They agreed to purchase an immovable property from one person. That agreement has become time barred. Subsequent to that the first accused, allegedly without the knowledge of the second accused, entered into an agreement with the defacto complainant to sell the property and received 77 lakhs of rupees.

4. Heard both sides.

5. Learned Public Prosecutor opposed the bail application. It is contended that the documents produced to convince the defacto complainant that they had a

marketable title were forged documents.

6. Learned counsel for the petitioner submitted that he is not responsible for the second agreement and he is not a party to that. It was the action by the first accused alone.

7. Considering the entire facts and circumstances, I am inclined to grant anticipatory bail to the petitioner with the following conditions:

- (a) The petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. Thereafter, he shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty 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.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge