

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

Bail Appl..No. 7539 of 2015 ()

CRIME NO. 1518/2015 OF CHAVAKKAD POLICE STATION, THRISSUR DISTRICT.
.....

APPLICANT/ACCUSED NO.2:

**GEO JOSE, AGED 25 YEARS,
S/O. JOSE, PUTHUR HOUSE, MANGAD,
ERUMAPETTY, THRISSUR.**

**BY SRI.P.VIJAYA BHANU, SENIOR ADVOCATE.
ADVS. SRI.V.C.SARATH,
SRI.THOMAS J.ANAKKALLUNKAL.**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A.No.7539 of 2015

Dated this the 4th day of December, 2015

ORDER

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

2. Petitioner is the second accused in Crime No.1518 of 2015 of Chavakkad Police Station registered for the offences punishable under Sections 406 and 420 r/w Section 34 of the Indian Penal Code.

3. It is alleged that a vehicle belonging to the defacto complainant was taken by the accused persons on condition that it would be returned within 15 days. The accused persons did not return the vehicle and thereby committed cheating.

4. Heard both sides.

5. Learned Senior counsel for the petitioner contended that the first accused took the car belonging to the defacto complainant on lease arrangements and the second accused only introduced the first accused to the defacto complainant.

6. Learned Public Prosecutor opposed the bail

application contending that the stand taken by the first accused is that the vehicle is presently in the custody of the second accused. The vehicle has to be taken back. Therefore, the presence of the petitioner is necessary.

7. Considering the nature of the allegations, 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 on all Saturdays between 10.00 a.m and 11.00 a.m. until the final report is filed.

- (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

