

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

MONDAY, THE 26TH DAY OF MAY 2014/5TH JYAISHTA, 1936

Bail Appl..No. 7659 of 2014 (B)

CRIME NO. 666/2014 OF VEEYAPURAM POLICE STATION , ALAPPUZHA

PETITIONER/1ST ACCUSED:

SAJI KUMAR, AGED 41 YEARS
S/O.VISWANATHAN, KOCHUPARAMBIL VEEDU, EDATHARA P.O
KADAKKAL VILLAGE, KOTTARAKKARA TALUK, KOLLAM DISTRICT

BY ADVS. SRI.K.SIJU
SMT.BINDU GEORGE

RESPONDENT/RESPONDENT:

STATE OF KERALA
THROUGH THE SUB INSEPCTOR OF POLICE
VEEYAPURAM POLICE STATION REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

R2 BY ADV. SRI.SAJITH KUMAR V.
BY PUBLIC PROSECUTOR SRI.JUSTIN JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
26-05-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B. A. No.7659 of 2014

Dated this the 26th day of May, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C for anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent. I have also heard the learned counsel appearing for the de facto complainant opposing this petition.

3. The petitioner is the first accused in Crime No.666 of 2014 of Veeyapuram Police Station. The offences alleged are under Sections 420, 406 and 120B read with Section 34 of IPC. Learned counsel for the petitioner submits that the petitioner is totally innocent of the allegations raised against him. The investigation of the case has progressed much. The petitioner has no criminal antecedents. The custodial interrogation of the petitioner is not required in this case. The allegations raised by the de facto complainant does not warrant registering a criminal case against the petitioner. The police has not registered a case

at the instance of the petitioner. The present case has been registered by the police on the basis of a private complaint filed by the de facto complainant before the court. She further submits that the petitioner apprehends arrest by the police at any time.

4. Learned Public Prosecutor, on instructions, submits that the investigation of the case has progressed much. He further submits that no criminal antecedents have been reported against the petitioner. Learned counsel appearing for the de facto complainant has opposed this Bail Application. On considering the facts and circumstances, stage of the investigation and the fact that no criminal antecedents have been reported against the petitioner, this Court is satisfied that the petitioner can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioner is granted anticipatory bail subject to the following conditions:

- 1) The petitioner shall surrender before the Investigating Officer on or before 03-06-2015. In the event of his arrest, he shall be released on bail on his executing a bond for ₹ 25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

- 2)The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.
- 3)The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.
- 4)The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
- 5)The petitioner shall not commit any similar offence while on bail.
- 6)The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE

