

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

Bail Appl..No. 7714 of 2014 ()

CRIME NO. 957/2014 OF ETTUMANOOR POLICE STATION,KOTTAYAM DISTRICT

PETITIONER/ACCUSED:

**AFSAL ABDULLA, AGED 38 YEARS,
S/O.ABDULLA, AFSAL VILLA, ATHIRAMPUZHA P.O.,
KOTTAYAM.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN**

RESPONDENT(S)/STATE:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM-682 031 (CRIME NO.957/2014 OF
ETTUMANOOR POLICE STATION,KOTTAYAM DISTRICT)**
- 2. STATION HOUSE OFFICER,
ETTUMANOOR POLICE STATION,
KOTTAYAM DISTRICT- 686 631
(CRIME NO.957/2014 OF ETTUMANOOR POLICE STATION,
KOTTAYAM DISTRICT).**

BY PUBLIC PROSECUTOR SMT. MADHUBEN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

RAJA VIJAYARAGHAVAN.V. J

B.A. 7714 of 2014

Dated 17th June, 2015

ORDER

1. The petitioner is the accused in Crime No.957 of 2014 registered by the Ettumanoor police station alleging offence punishable under Section 420 r/w Section 34 of Indian Penal Code.
2. The gist of the allegation against the petitioner is that, the petitioner with an intention to make unlawful gain offered employment to several persons in the Gulf countries and accepted money from the defacto complainant and others and thereby committed offence punishable under Section 420 r/w 34 of IPC.
3. It is submitted by the learned counsel for the petitioner that the matter has been settled with the defacto complainant and others and that no money is due as on date. According to the learned counsel for the petitioner, Sri. Dheerendrakrishnan, the complainants

have all filed affidavits stating that money due to them has been settled by the petitioner. On several occasions, this Court had issued directions to the learned Public Prosecutor to get instructions in this matter to verify the genuineness of the assertion. It is evident that the submission made by the counsel for the petitioner is genuine.

3. In the light of the above, I am of the opinion that the custodial interrogation of the petitioner is not required in the facts and circumstances of this case. In view of the above, the Application is allowed subject to the following conditions:-

1. The petitioner shall be released on bail, in the event of arrest, on his executing a bond for Rs.50,000/- (Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2. He shall surrender his passport before the learned Magistrate and in case he is not holding any passport, he shall file an affidavit stating so, within five days of his release.

3. He shall not leave India without the previous permission of the jurisdictional court.

4. The petitioner shall cooperate with the investigation and shall appear before the investigating officer between 10 a.m and 11 a.m on every Saturdays for 3 months, or till the final report is filed, whichever is earlier.

5. He shall not threaten or attempt to influence the witnesses and shall not get involved in any criminal case while on bail .

6. He shall in no event tamper or attempt to tamper with the evidence nor shall he hamper the investigation.

Violation of any of the above conditions will entitle the jurisdictional Court to cancel the bail in accordance with the law.

This Application is allowed as above.

Sd/-
RAJA VIJAYARAGHAVAN.V.
Judge

MrCS

//True Copy//

P.S.ToJudge