

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Bail Appl..No. 7822 of 2015 ()

**CRIME NO. 1684/2015 OF PEROORKADA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/3RD ACCUSED:

**VIJESH,
S/O.MADHAVAN @ ANDI,AGED 25 YEARS,
EROL HOUSE, AYAROTT,
KODOM AMSOM, KODOTH, ODAYANCHAL,
KANHANGAD, KASARAGOD - 671 531.**

**BY ADVS.SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE
SMT.ACHU SUBHA ABRAHAM
SMT.SUNANDA SUKUMARAN
SMT.K.R.MONISHA
SRI.DENNY VARGHESE
SMT.CHITHRA CHANDRASEKHARAN
SMT.SYAMA SIDHARTHAN**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM,
REPRESENTING THE STATION HOUSE OFFICER,
PEROORKADA POLICE STATION, THIRUVANANTHAPURAM.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A. HARIPRASAD, J.

Bail Appl. No.7822 of 2015

Dated this the 16th day of December 2015

ORDER

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 3rd accused in Crime No.1684 of 2015 of Peroorkada Police station registered for the offences punishable under Secs.420 and 406 read with Sec.34 of the Indian Penal Code. Prosecution case in short is that, accused nos.1 to 4 promised to secure admission for son of the defacto complainant to MBBS course at MS. Ramayya Medical College and received 12 lakhs rupees from the defacto complainant. After a few days, they received another sum of Rs.4.26 lakhs. Thereafter, they failed to fulfill the promise.

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

4. Learned Public Prosecutor submitted that the petitioner was arrested in another crime on 12.09.2015 and in this case he was formally arrested on 24.11.2015.

Considering the nature of allegations and the fact that investigation has advanced to a considerable extent, bail is granted to the petitioner with the following conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Fridays between 12.00 p.m. and 01.00 p.m. until final report is filed.

v. The petitioner shall not leave the State of Kerala without obtaining permission from the learned Magistrate having jurisdiction.

vi. The petitioner shall surrender his passport before the lower court concerned or if he does not have the same, file an affidavit to that effect.

vii. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

viii. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /
P.A. To Judge