

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

WEDNESDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

Bail Appl..No. 8616 of 2014 ()

CRIME NO. 226/2014 OF IDUKKI POLICE STATION , IDUKKI

PETITIONER(S)/ACCUSED NOS.1 & 3:

1. RANANSON AGED 36 YEARS
S/O. PANKAJAKSHAN, KANPPILLIL HOUSE, CHERAI P.O.
ERNAKULAM DISTRICT-683 514.

2. SMITHA AGED 35 YEARS
W/O. RANANSON, S/O. PANKAJAKSHAN, THARAYIL HOUSE
PERUMBADANNA, N.PARAVUR, ERNAKULAM DISTRICT-683 513.

BY ADVS.SRI.C.ANILKUMAR (KALLESSERIL)
SRI.C.Y.VINOD KUMAR

RESPONDENT(S)/COMPLAINANT:

STATE OF KERALA
(REPRESENTED BY THE SUB INSPECTOR OF POLICE
IDUKKI POLICE STATION - CR.NO.226/2014 OF IDUKKI POLICE STATION)
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.

R BY PUBLIC PROSECUTOR SRI.R.GITESH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SUNIL THOMAS, J.

B.A. No.8616 OF 2014

Dated this the 12th day of June, 2015

O R D E R

The accused Nos. 1 and 3 in Crime No.226/2014 of Idukki Police Station for offence punishable under Sections 420,468 and 34 IPC are the applicants.

2. The allegation against the accused is that they, in furtherance of their common intention to cheat the defacto complaint and thereby to make wrongful gain, offered him a permanent job in a Devaswom. On receipt of consideration, a forged interview card was got despatched to the defacto complainant. Since the defacto complainant did neither got the job nor the amount, the complaint was filed before the police alleging commission of various offences. Apprehending arrest, the accused Nos. 1 and 3 have approached this Court seeking pre-arrest bail.

3. Heard and examined the records.

4. The main allegation against accused Nos. 1 and 3 is that they, for valuable consideration, offered a job in a Devaswom.

It is further alleged that a forged interview card was also sent. The main allegation against the 3rd accused, who is the wife of the first accused, is that the amount was deposited in the bank account of the 3rd accused. Though there is a vague allegation that she along with the first accused made the false promise, considering all attending circumstances, including the fact that the 3rd accused is a lady and the further fact that the allegation of deposit in her account is borne by the records, I feel that the custodial interrogation of the 3rd accused can be avoided. However, as regards the first accused, there are serious allegations. The manner and mode in which the interview card was forged the persons involved and the identify of the second accused, are matters to be unearthed. Hence, I am not inclined to extend the benefit to 1st accused.

5. Considering the above facts, I am inclined to grant pre-arrest bail to the 3rd accused (second petitioner alone). Hence the petition is allowed in part as follows:

- 1). The bail application, in so far as it relates to the first petitioner(first accused), is dismissed.
- 2). The second petitioner (3rd accused) shall appear before

the Investigating Officer on 20/6/2015 between 10 and 11 am. She shall co-operate with the investigation and after interrogation, in the event of she being arrested, shall be released on bail on she executing a bond for a sum of Rs.40,000/- with two solvent sureties for like sum each.

3). The second petitioner (3rd accused) shall continue to co-operate with the investigation and shall appear before the Investigating Officer as and when called for.

4). It is clarified that in the event of new implicating circumstances being found against the 3rd accused, the investigating agency will be free to approach this Court and seek modification of the order, in so far as it relates to the second petitioner (3rd accused).

The petition is allowed in part accordingly.

Sd/-

SUNIL THOMAS
Judge

dpk

/True coy/ PS to Judge.

