

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

Bail Appl..No. 8626 of 2014

CRIME NO. 474/2014 OF VIDYA NAGAR POLICE STATION , KASARGOD

PETITIONER(S)/1ST ACCUSED:

**NOUFAL P, AGED 39 YEARS,
S/O.HUSSAIN HAJI, PALAKKI HOUSE, MANIKOTH,
AJANUR VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.**

**BY ADVS.SRI.T.K.VIPINDAS
SRI.K.V.SREE VINAYAKAN
SRI.K.M.HASHIR
SRI.K.M.MUHAMMED HUSSAIN**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM 682 031,
REPRESENTING S.H.O VIDYA NAGAR POLICE STATION,
KASARAGOD DISTRICT.**

BY PUBLIC PROSECUTOR SMT.MADHUMEN. M.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21-07-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K.P. JYOTHINDRANATH, J.

B.A. No.8626 of 2014

Dated this the 21st day of July, 2015

O R D E R

This is an application filed under Section 438 of the Code of Criminal Procedure.

2. When the matter came up for hearing, learned counsel for the petitioner submitted before me that the petitioner is apprehending arrest and detention in connection with crime No.474/2014 of Vidya Nagar Police Station where the alleged offence is under Section 420 r/w. 34 of I.P.C. It is the submission that the allegation is that the petitioner agreed to sell 35 cents of landed property belonging to him to the defacto complainant and thereafter by not handing over the same, cheated. It is the submission that the allegation even if proved, is civil in nature.

3. After considering the nature of the allegations and also keeping in mind that the crime is registered upon a private complaint forwarded under Section 156 (3) of the

Cr.P.C., I feel that the following order can be passed:

1. The petitioner shall appear before the Investigating Officer within 10 days of this order. On such appearance, the Investigating Officer is at liberty to interrogate the petitioner. If the interrogation is not over it can be continued on another day. After interrogation, if the police officer feels that arrest is necessary, he is at liberty to arrest the petitioner. Thereafter, if any recovery is necessary, that also can be made. Thereafter the petitioner shall be released on bail on executing a bond for Rs.25,000/- with two solvent sureties for the like amount to the satisfaction of the officer concerned.
2. The petitioner shall not commit any offence during the bail period.
3. The petitioner shall co-operate with the investigation, if an application under Section 311A of Cr.P.C. is filed, petitioner shall co-operate with the same.
4. The petitioner shall not influence or intimidate the

witnesses.

On the above conditions, this anticipatory bail application is allowed.

Sd/-
K.P. JYOTHINDRANATH
JUDGE

//True copy//

P.A. TO JUDGE

shg/