

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

Bail Appl.No. 8862 of 2014

ORDER IN CRMP 3011/2014 of THE SESSIONS COURT, PALAKKAD
CRIME NO.1381/2014 OF PALAKKAD TOWN SOUTH POLICE STATION, PALAKKAD

PETITIONER(S)/ACCUSED:

SELVARAJAN AGED 43 YEARS,
S/O.LATE CELLAN, PADINJARE VEEDU KALLEPPULLY
PALAKKAD.

BY ADV. SRI.K.ANAND

RESPONDENT(S)/STATE & COMPLAINANT:

1. THE STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

2. THE SUB INSPECTOR OF POLICE
TOWN SOUTH POLICE STATION
PALAKKAD DISTRICT - 678 001.

BY PUBLIC PROSECUTOR SRI. JUSTINE JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22-
06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

RAJA VIJAYARAGHAVAN.V. J

B.A. 8862 of 2014

Dated 22nd June, 2015

ORDER

This application is filed under S. 438 of the Code of Criminal Procedure by the petitioner, who is the 2nd accused in Crime No.1381 of 2014 by the Town South Police station, Palakkad. The offence alleged against him is under Section 420 r/w 34 of Indian Penal Code.

2. The gist of the allegation is that the de facto complainant had parted with a total sum of Rs.35,000/- to one Sabu Kumar on the assurance given by the petitioner that a visa will be arranged for him to work in a ship. Later he did not provide the job and thus committed the offence.

3. I have heard the learned counsel for the petitioner as well as the learned Public Prosecutor and I have also perused the case diary. It is submitted by the learned

counsel for the petitioner that the petitioner is a carpenter and he has got nothing to do with the aforesaid Sabukumar. The de facto complainant also has no case that the petitioner was benefited in any way from the transaction.

4. In the nature of the allegations, I do not think that this is a case in which custodial interrogation is warranted. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail in the event of his arrest in connection with the above case on the petitioner executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Saturdays.
2. The petitioner shall make himself

available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commit breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

Sd/-
RAJA VIJAYARAGHAVAN.V.
Judge

MrCs

//True Copy//

P.S.ToJudge