

Shiny Vs. State of Kerala

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Court : Kerala

Decided On : Jan-30-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Shiny

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH THURSDAY, THE 30TH DAY OF JANUARY 2014 10TH MAGHA, 1935 Bail Appl..No. 628 of 2014 () ----- CRIME NO. 3423/2013 OF PERUMBAVOOR POLICE STATION. PETITIONER/4TH ACCUSED: ----- SHINY, AGED 39 YEARS, W/O. THOMAS, PARAMBIL HOUSE, AIMURY KARA, KOOVAPPADY VILLAGE, KUNNATHUNADU TALUK, PERUMBAVOOR. BY ADV. SRI.R.DIVAKARAN. RESPONDENT/COMPLAINANT: ----- STATE OF KERALA, REPRESENTED BY SUB INSPECTOR OF POLICE, ERNAKULAM DISTRICT, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, PIN- 682 031. BY PUBLIC PROSECUTOR SMT.S. HYMA. THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-01-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: rs. THOMAS P. JOSEPH, J.

ORDER

Petitioner is the 4th accused in Crime No.3423 of 2013 of the Perumbavoor Police station for the offences punishable under Secs.420, 467, 468, 471 and 120B read with Sec.34 of the Indian Penal Code, apprehends arrest and has filed the application.

2. I have heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Case is that the petitioner and accused nos.1 to 3 entered in a criminal conspiracy, created transfer deeds concerning property belonging to the 3rd accused which had been mortgaged to the HDB Bank, Ernakulam suppressing that liability and successively transferred the property, ultimately to the defacto complainant.

4. I have granted relief to accused nos.1 to 3 as per order dated 06.01.2014 in B.A. No.8653 of 2013. Having regard to the circumstances, I am inclined to grant the same relief to the petitioner as well. Bail Appl. No. 628 of 2014 2 The application is disposed of as under.

1. Petitioner shall surrender before the officer investigating Crime No.3423 of 2013 of the Perumbavoor Police station on 05.02.2014 at 10.00 am for interrogation.

2. In case interrogation of the petitioner is not completed that day, it is open to the investigating officer to direct presence of the petitioner on any other day/days at reasonable time and place which the petitioner shall comply.

3. In case petitioner is arrested, she shall be produced before the jurisdictional magistrate the same day.

4. On such production learned magistrate shall release the petitioner (if not required to be detained otherwise) on bail on her executing bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for the like sum each to the

satisfaction of the learned magistrate and subject to the Bail Appl. No. 628 of 2014 3 following conditions: a) One of the sureties shall be a close relative of the petitioner. b) Petitioner shall report to the investigating officer as and when required for interrogation at all reasonable time and places. c) Petitioner shall co-operate with the investigation of the case. d) Petitioner shall not get involved any offence during the period of this bail. e) Petitioner shall not intimidate or influence the witnesses. f) In case any of condition nos.(b) to (e) is violated, it is open to the investigating officer to file application before the learned magistrate for cancellation of the bail granted hereby, as held in P.K. Shaji V. State of Kerala (AIR 2006 SC100. THOMAS P. JOSEPH JUDGE NS

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