

Sarala Devi C Vs. State of Kerala

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Court : Kerala

Decided On : Feb-28-2014

Judge : Honourable Mr.Justice N.K.Balakrishnan

Appellant : Sarala Devi C

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN FRIDAY,THE28H DAY OF FEBRUARY20149TH PHALGUNA, 1935 Bail Appl..No. 1375 of 2014 (B) ----- CRIME NO. 663/2013 OF KOODAL POLICE STATION , PATHANAMTITTA ACCUSED(S)/ACCUSED: ----- SARALA DEVI C, AGED46YEARS, W/O. C.REGHUNATHAN NAIR VEDANA MURUPPEL, NELLIMURUPPU, KOODAL P.O. PATHANAMTHITTA. BY ADVS.SRI.NIDHI BALACHANDRAN SRI.SABU GEORGE COMPLAINANT(S)/COMPLAINANT AND STATE: ----- 1. STATE OF KERALA REPRESENTED BY ITS PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM-682031.

2. THE SUB INSPECTOR OF POLICE KOODAL POLICE STATION, PATHANAMTHITTA-687018. BY PUBLIC PROSECUTOR SMT.JASMINE V.H. THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON2802-2014,

THE COURT ON THE SAME DAY PASSED THE FOLLOWING: JJJ N.K. BALAKRISHNAN, J.

----- B.A. No. 1375 of 2014 (B)
----- Dated this the 28th day of February, 2014

ORDER

The petitioner is the accused in Crime No.663/2013 of Koodal Police Station, Pathanamthitta District. Offences alleged are under sections 406, 420 and 468 of IPC. Apprehending arrest, this petition is filed for anticipatory bail.

2. It is alleged that the accused obtained huge amount and gold ornaments on several occasions from the defacto complainant and making the complainant to believe that the amount is being discharged, three cheques putting forged signatures were issued and thus cheated the complainant. So many facts are stated in the complaint.

3. It is stated that civil suit is pending between the parties. B.A. No. 1375/2014 (B) -2- 4. Considering all the aspects the following directions are issued: The petitioner shall surrender before the Investigating Officer within ten days from today. After interrogation the accused shall be produced before the learned Magistrate. When applied for bail by the accused, the learned Magistrate will, considering the nature of the case, grant bail to the petitioner but on the following conditions: a. The petitioner shall execute 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. If in case the Magistrate has any doubt about the genuineness or correctness of the tax receipts produced by the sureties, the learned Magistrate can insist for production of the attested photo copies of the original title deeds of the sureties. B.A. No. 1375/2014 (B) -3- b. The petitioner shall make herself available for interrogation by the Investigating Officer and shall appear before the Investigating Officer on all Mondays and Fridays between 9.30 AM to 11.30 AM until further orders. c. The petitioner shall surrender her original passport before the learned jurisdictional Magistrate. If she is not having any valid passport, she should file an affidavit regarding the same before the Magistrate. d. The petitioner

will also file an affidavit that she will abide by all the conditions as mentioned above and that she will not commit any offence similar to the offence involved in this case and will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the B.A. No. 1375/2014 (B) -4- evidence. e. The petitioner shall not leave India without the prior permission of the learned Magistrate. f. The learned Magistrate will also ensure the identity of the sureties by insisting production of electoral photo identity cards/Driving licence etc. Sd/- N.K. BALAKRISHNAN, JUDGE //True Copy// P.A. to Judge jjj

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