

Ashok Jacob Vs. State of Kerala

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Court : Kerala

Decided On : Aug-20-2014

Judge : Honourable Mr. Justice K.Abraham Mathew

Appellant : Ashok Jacob

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW WEDNESDAY, THE 20TH DAY OF AUGUST 2014 29TH SRAVANA, 1936 Bail Appl..No. 6181 of 2014 ()
----- CRIME NO. 1597/2014 OF CHENGANNUR POLICE STATION ,ALAPPUZHA DISTRICT -----
PETITIONER(S)/ACCUSED 1 & 2: ----- 1. ASHOK JACOB, S/O.P.P.JACOB, AGED 41 YEARS, PADIPPURACKAL VEEDU, THITTAMEL MURI, CHENGANNUR VILLAGE, CHENGANNUR TALUK.

2. SONIA ASHOK, W/O.ASHOK JACOB, AGED 36 YEARS, PADIPPURACKAL VEEDU, THITTAMEL MURI, CHENGANNUR VILLAGE, CHENGANNUR TALUK. BY ADV. SMT.INDU SUSAN JACOB RESPONDENT(S)/STATE & COMPLAINANT: ----- 1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-682 031 2. THE SUB INSPECTOR OF POLICE, CHENGANNUR POLICE STATION-689 121. *ADDL.R3 IS IMPEADED *R3:

J.RAMKUMAR,AGED39YEARS, PROPRIETOR, ARYAS HOTEL, CHENGANNUR, ALAPPUZHA, RESIDING AT ANJILIVILAYIL HOUSE, THONALLUR MURI, PANDALAM.P.O., ADOOR TALUK, PATHANAMTHITTA DISTRICT. *ADDL.R3 IS IMPEADED AS PER

ORDER

DATED2008/2014 IN CRL.M.A.NO.7755/2014 R1 & R2 BY PUBLIC PROSECUTOR SRI.C.RASHEED ADDL.R3 BY ADV. SRI.K.N.RADHAKRISHNAN(THIRUVALLA) THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON2008-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: sts K. ABRAHAM MATHEW, J.

----- B.A. No.6181 of 2014 -----
- - Dated this the 20th day of August, 2014

ORDER

Petition filed under Section 438 Cr.P.C. The petitioners are the accused in crime No.1597/2014 of Chengannur Police Station registered for the offences under Sections 294(b), 325, 427 & 452 IPC. The first petitioner is the owner of a commercial building. The second petitioner is his wife.

2. It is alleged that the first informant took the building on license. He filed O.S.No.273/2012 against his forcible eviction and obtained an order of status quo, which is said to be not in force now. He has filed another suit for realisation of some money allegedly due from the first petitioner. The allegation in this case is that in order to evict him forcibly the petitioners trespassed into the premises and assaulted them and committed mischief.

3. Heard.

4. The learned counsel for the petitioners submits B.A. No.6181 of 2014 -2- that the document produced by the first informant in O.S.No.43/2013 is a forged one and the police have registered a case, crime No.292/2014 in respect of it. The first informant has been granted anticipatory bail in that case by this Court.

5. In the nature of the allegations in this case, it appears that the detention of the petitioners is not necessary for effective investigation. I am inclined to grant their prayer for anticipatory bail. In the result, this application is allowed. 1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) each with two solvent sureties each for the like sum if they are arrested by the police in connection with this case. 2) They shall appear before the Investigating Officer for interrogation if they are so required by him in writing. B.A. No.6181 of 2014 -3- 3) They shall not intimidate or attempt to influence the witnesses; nor shall they tamper with the evidence. 4) They shall not commit any offence while they are on bail. In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law. Sd/- K. ABRAHAM MATHEW JUDGE
/true copy/ P.A. to Judge shg/

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