

Rajitha Mohan, vs State of Kerala,

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Court : Kerala

Decided On : Jan-31-2024

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : Bail Appl./4256/2023

Appellant : Rajitha Mohan,

Respondent : State of Kerala,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS WEDNESDAY,
THE 31ST DAY OF JANUARY 2024 / 11TH MAGHA, 1945 BAIL APPL.
NO. 4256 OF 2023 CRIME NO.644/2023 OF THIRUVALLA POLICE
STATION, PATHANAMTHITTA PETITIONER/ACCUSED NO.1:
RAJITHA MOHAN, AGED 32 YEARS W/O.PRATHEESH KUMAR,
PADINJAREPALIYATHU, THALAYAR, KUTTOOR P.O.,
PATHANAMTHITTA , KERALA, PIN - 689106 BY ADV M.R.SASITH
RESPONDENTS: 1 STATE OF KERALA, REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, PIN -
682031 2 RENJITH KUMAR, S/O BALAKRISHNAN PILLAI
,CHAITHANYA , THALAYAR PATHANAMTHITTA , KERALA, PIN -

689106 BY ADV PUBLIC PROSECUTOR SMT. NEEMA T.V. THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31.01.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -:2:-
Dated this the 31st day of January,2024

ORDER

The application is filed under Section 438 of the Code of Criminal Procedure, 1973, for an order of pre-arrest bail.

2. The petitioner is the first accused in crime

No.644/2023 of Thiruvalla Police Station, Pathanamthitta, registered against the accused (three in number) for allegedly committing the offences punishable under Sections 468, 420 and 34 of the Indian Penal Code. 3.Heard; Sri.Sasith M.P., the learned counsel appearing for the petitioner and Smt. Neema T.V., the learned Public Prosecutor.

3. When the bail application came up for

consideration on 11.1.2024, this Court directed the petitioner to surrender before the Investigating Officer -:3:- within seven days from the date of order and subject herself to interrogation.

4. The learned Public Prosecutor, on

instructions, submitted that, pursuant to the above order, the petitioner has surrendered before the Investigating Officer on 29.1.2024 and her interrogation has been completed. The petitioners further presence is not required. Hence, the interim

order can be made absolute, subject to additional

conditions. The said submission is recorded. Resultantly, the bail application is disposed of by making the interim order dated 11.1.2024 absolute, subject to the following conditions:

(i) The petitioner shall co-operate with the investigation and make herself available for interrogation and for the purpose of investigation as and when the Investigating Officer directs;

(ii) The petitioner shall not intimidate witnesses or -:4:- interfere with the investigation in any manner;

(iii) The petitioner shall not get involved in any other offence while on bail.

(iv) The petitioner shall not leave India without the permission of the jurisdictional Court;

(v) In case of violation of any of the conditions

above, the jurisdictional Court shall be empowered to consider the application for cancellation of bail, if any filed, and pass orders on the same, in accordance with law.

(vi) Applications for deletion/modification of the bail conditions shall also be filed before the court below. Sd/- C.S.DIAS,JUDGE rmm/31.1.2024

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