

Anna Johnson vs State of Kerala

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Court : Kerala

Decided On : Jul-05-2022

Judge : Honourable Mr.Justice Viju Abraham

Appeal No. : Bail Appl./341/2022

Appellant : Anna Johnson

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE VIJU ABRAHAM
TUESDAY, THE 5TH DAY OF JULY 2022 / 14TH ASHADHA, 1944 BAIL
APPL. NO. 341 OF 2022 CRIME NO.1022 OF 2021 OF KORATTY
POLICE STATION, THRISSUR DISTRICT PETITIONER/ACCUSED:
ANNA JOHNSON, AGED 32 YEARS, PUTHENPARAMBIL,
COLLECTORATE P.O.,MUTTAMBALAM, KOTTAYAM(NOW RESIDING
AT PUTHUPARAMBIL HOUSE, CHILAVANNOOR ROAD,
ELAMKULAM, KADAVANTHRA, KOCHI - 20).

BY ADVS. N.SATHEESH K.JANARDHANA SHENOY
RESPONDENT/COMPLAINANT: 1 STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. 2 THE

STATION HOUSE OFFICER KORATTY POLICE STATION, THRISSUR DISTRICT - 680 306. OTHER PRESENT: PP - SRI. M.C.ASHI THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05.07.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: B.A. No. 341 of 2022 2

VIJU ABRAHAM, J.

----- B.A. No. 341 of 2022 ----- Dated this the 5th day of July, 2022

ORDER

This is an application for anticipatory bail.

2. Petitioner is the accused in Crime No.1022 of 2021 of Koratty Police Station, Thrissur District registered alleging commission of offence punishable under Section 420 of IPC.

3. The prosecution allegation is that accused

with an intention to cheat the petitioner after receiving an amount of Rs.4000/- in advance, failed to deliver the product 'Caprison' having the price of Rs.6000/- to 7000/-.

4. The case of the petitioner is that she is

falsely implicated in the above said crime. The petitioner admitted that she has received an amount of Rs.4000/- as advance from the defacto complainant. Due to Covid-19 pandemic she was compelled to closed her boutique and she could not B.A. No. 341 of 2022 3 supply the materials ordered by the defacto complainant. The case of the petitioner is that the said amount of Rs.4,000/- was returned back through Google Pay.

5. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

6. Learned Public Prosecutor upon instructions submitted that the petitioner has no other criminal antecedents.

7. Having regard to the facts and circumstances

of the case, and considering the nature of the allegations against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions. In the result, the bail application is allowed. In the event of arrest of the petitioner in Crime No.1022 of 2021 of Koratty Police Station, shall be released on bail subject to the following conditions:

(i) The petitioner shall execute a bond for sum of Rs.50,000/- (Rupees fifty thousand B.A. No. 341 of 2022 4 only) with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Court;

(ii) Petitioner shall appear before the investigating officer in Crime No.1022/2021 of Koratty Police Station, as and when required by the investigating officer;

(iii) Petitioner shall not attempt to or interfere with the investigation or to influence or intimidate any witness in Crime No.1022/2021 of Koratty Police Station;

(v) Petitioner shall not involve in any

other crime while on bail. If any of the aforesaid conditions are violated, the Investigating Officer in Crime No.1022/2021 of Koratty Police Station may file an application before the jurisdictional court, for cancellation of bail. sd/- VIJU ABRAHAM,JUDGE pm

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