

Renuka vs State of Kerala

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Court : Kerala

Decided On : Sep-27-2022

Judge : Honourable Mr.Justice Viju Abraham

Appeal No. : Bail Appl./421/2022

Appellant : Renuka

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE VIJU ABRAHAM
TUESDAY, THE 27TH DAY OF SEPTEMBER 2022 / 5TH ASWINA,
1944 BAIL APPL. NO. 421 OF 2022 CRIME NO.1043/2021 OF
VALAPPAD POLICE STATION PETITIONER: RENUKA AGED 55
YEARS, ALAKKAL HOUSE, NATTIKA VILLAGE, VALAPPAD,
THRISSUR DISTRICT, PIN - 680567 BY ADVS. SASI M.R. P.S.SIDHAN
SILPA N.P DHARMYA M.S KAVYA KRISHNAN RESPONDENTS: 1
STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031 2 STATION
HOUSE OFFICER VALAPPAD POLICE STATION, THRISSUR RURAL,
PIN 680567 BY ADV PP - SRI. M.C.ASHI THIS BAIL APPLICATION

HAVING COME UP FOR ADMISSION ON 27.09.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: .. 2 ..

VIJU ABRAHAM, J.

B.A. No.421 of 2022 Dated this the 27th day of September, 2022

ORDER

This is an application for Anticipatory Bail.

2. The petitioner is the accused in Crime No.1043/2021 of Valappad Police Station, alleging commission of offences punishable under Sections 403, 406 and 420 of the IPC.

3. The case of the de facto complainant is that, in the

property owned by the petitioner, the de facto complainant has constructed a building expending around 23 lakhs and the property was acquired by the highway authority, the petitioner received a compensation amount of Rs.38,42,693.26/- towards the land and an amount of Rs.18,05,433.56/- towards the value of building and the said amount was not paid to the de facto complainant and thereby cheated him.

4. The learned counsel for the petitioner submitted that the property as well as the shed is owned by her and a false case is filed by the de facto complainant. It is further submitted that .. 3 .. the de facto complainant has preferred a suit in this regard as C.P. No.49/2020 before the Principle Sub Court, Thrissur and the same is pending consideration.

5. I have heard the learned Public Prosecutor also.

6. Having regard to the facts and circumstances of the

case and considering the nature of the allegations, I am inclined to grant bail to the petitioner subject to stringent conditions. In the result, this application is allowed. It is directed that the petitioner shall surrender before the investigating officer on

30.09.2022, at 11 a.m., in the event of arrest of the petitioner in Crime No.1043/2021 of Valappad Police Station, the petitioner shall be produced before the jurisdictional magistrate on the same day and shall be released on bail, subject to the following conditions:-

(i) Petitioner shall execute bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties for the like-sum to the satisfaction of the jurisdictional court ;

(ii) Petitioner shall appear before the investigating officer in Crime No.1043/2021 of Valappad Police Station, as and when summoned .. 4 .. to do so;

(iii) Petitioner shall not attempt to interfere with the investigation or to influence or intimidate any witness in Crime No.1043/2021 of Valappad Police Station;

(iv) 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.1043/2021 of Valappad Police Station, may file an application before the jurisdictional Court, for cancellation of bail. It is made clear that it is within the power of the police to

investigate the matter and if necessary to effect recoveries on the information if any given by the petitioner, even when the petitioner is on bail as per the judgment of the Apex Court in Sushila Aggarwal and others v. State(NCT of Delhi) and another(2020(1)KHC 663). Sd/- VIJU ABRAHAM, JUDGE ded/27.09.2022

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