

Jyothi vs State of Kerala

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Court : Kerala

Decided On : May-26-2021

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : Bail Appl./2891/2021

Appellant : Jyothi

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR WEDNESDAY, THE 26TH DAY OF MAY 2021 / 5TH JYAISHTA, 1943 CRIME NO.48/2021 OF KOTTAYAM EAST POLICE STATION, KOTTAYAM PETITIONER/S/ACCUSED: JYOTHI AGED 55 YEARS EDATTU HOUSE THAMBALAKKAADU P.O, PONKUNNAM, KOTTAYAM KOTTAYAM, PIN - 686506 BY ADV C.S.MANILAL RESPONDENT/S: STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA ERNAKULAM, PIN - 682031 BY ADV SENIOR PUBLIC PROSECUTOR, SMT. M.K.PUSHPALATHA THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26.05.2021, THE COURT ON THE SAME DAY

DELIVERED THE FOLLOWING:

ORDER

The petitioner is the second accused in Crime No.48 of 2021 of Kottayam East Police Station, registered for the offences punishable under Sections 465, 468, 471 and 420 read with Section 34 of IPC.

2. The petitioner has filed this application praying for the relief under Section 438 Cr.P.C.

3. Heard.

4. The prosecution allegation is that the petitioner

and the other accused in furtherance of their common intention fabricated and presented the consent letter of his father-in-law before the geologist for obtaining a quarrying permit. The case was registered on the basis of the information furnished by the geologist. The first accused, who is the husband of the petitioner had been granted pre-arrest bail as per Annexure-2 order. Considering the facts and circumstances of the case, including the fact that the first accused had been already granted pre-arrest bail by the Court, I am of the view that the same benefit can be extended to the petitioner as well. It is ordered accordingly.

In the result, this application stands allowed and it is

directed that the petitioner shall be enlarged on bail, in the event of her arrest in the above said crime, on condition of the petitioner executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two solvent sureties, each for the like sum to the satisfaction of the Station House Officer concerned, before whom the petitioner shall surrender within twenty days, if not arrested in the meantime and subject to the following conditions:

(i) The petitioner shall report before the Investigating Officer as and when required by the Investigating Officer for interrogation.

(ii) The petitioner shall co-operate with the investigation.

(iii) The petitioner shall not get involved in any other offence of similar nature during the pendency of this case.

(iv) The petitioner shall not intimidate or influence the witnesses or in any way tamper with the investigation. SD/- B.SUDHEENDRA KUMAR JUDGE
RK/26.05.2021

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