

G.Rajeev Vs. State of Kerala

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Court : Kerala

Decided On : Oct-26-2010

Judge : V. Ramkumar, J.

Acts : Indian Penal Code (IPC) - Sections 420, 468 read with 34

Appeal No. : Bail Appl..No. 6661 of 2010

Appellant : G.Rajeev

Respondent : State of Kerala

Advocate for Pet/Ap. : SRI.V.PHILIP MATHEW, Adv.

Judgement :

1. Petitioner, who is the 2nd accused in Crime No.842/2010 of Karunagappally Police Station for offences punishable under Sections 420 and 468 read with 34 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall

surrender before the investigating officer on 11.11.2010 or on 12.11.2010 for the purpose of interrogation and recovery of incriminating material, if any. After interrogation, petitioner shall be produced before the Magistrate concerned who on being convinced that the petitioner has been interrogated by the police, shall release the petitioner on bail on the petitioner executing a bond for `15,000/- (Rupees fifteen thousand only) with two solvent sureties each for the like amount to the satisfaction of the Magistrate and subject to the following conditions:-

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
2. The petitioner shall make himself available for interrogation including custodial interrogation as and when required by the Investigating Officer.
3. Petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
4. Petitioner shall not commit any offence while on bail.
5. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This petition is disposed of as above.

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