

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

FRIDAY, THE 27TH FEBRUARY 2009 / 8TH PHALGUNA 1930

Bail Appl..No. 7853 of 2008()

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(CRIME NO.1139/08 OF KOLLAM EAST POLICE STATION)**

PETITIONER(S): ACCUSED NOS. 4 & 5:

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1. SUNNY VARGHESE, GROUP MANAGING
DIRECTOR, M/S OLAM INTERNATIONAL LTD.,
9 TEMASEK BOULEVARD, # 11-02 SANTEC TOWER,
SINGAPORE 038989.**

**2. ASHOK KRISHAN, MANAGING DIRECTOR,
DO.....DO.....**

BY ADV. MR.T.R.ASWAS

RESPONDENT(S): COMPLAINANT:

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STATE OF KERALA, REPRESENTEDBY BY SUB
INSPECTOR OF POLICE, KOLLAM EAST POLICE
STATION, KOLLAM.**

BY PUBLIC PROSECUTOR MR. K.S.SIVAKUMAR

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27/02/2009, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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M. SASIDHARAN NAMBIAR, J.

B.A.No. 7853 OF 2008

Dated this the 27th day of February, 2009

ORDER

Petitioners are accused 4 and 5 in Crime 1139 of 2008 of Kollam police station. The case against the accused is that they committed offences under section 120(B), 465, 467, and 420 of 34 Indian Penal Code. Accused 1 to 3 were granted anticipatory bail by Sessions Judge under Annexure-B order dated 24.10.2008. Petitioners have filed this petition under section 438 of Code of Criminal Procedure for anticipatory bail.

2. Learned counsel appearing for petitioners and the learned Public Prosecutor were heard.

3. Learned counsel appearing for petitioners submitted that accused 1 to 3 were already granted anticipatory bail and the case as against petitioners is similar and in such circumstances they are also entitled to get anticipatory bail. Learned Public Prosecutor submitted that the case as against the petitioners is similar to the other three accused, for whom anticipatory bail was granted. In such circumstances petitioners

are granted anticipatory bail on the following conditions.

- (1) In the event of the arrest of the petitioners in crime No.1139 of 2008, they shall be released on bail on executing bond for Rs.10,000/- each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.
- (2) Petitioners shall not threaten or influence the witnesses.
- (3) Petitioners shall make themselves available for interrogation as and when called for by the investigating officer.

The order will be in force for one month and it is for the petitioners to apply for regular bail before the concerned Magistrate.

M. SASIDHARAN NAMBIAR, JUDGE

okb