

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE P.G. AJITHKUMAR

FRIDAY, THE 30TH DAY OF DECEMBER 2022 / 9TH POUSHA, 1944

BAIL APPL. NO. 10292 OF 2022

CRIME NO.1500/2022 OF Chadayamangalam Police Station, Kollam

PETITIONER/ACCUSED:

PINKY P.R.
AGED 32 YEARS
D/O PEETHAMBARAN PILLAI,
PINKY BHAVAN, KALLAYAM, KARIYODU P.O,
CHADAYAMANGALAM, KOLLAM, PIN - 691534

BY ADV LATHEESH SEBASTIAN

RESPONDENT/STATE:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN - 682031

BY ADV PUBLIC PROSECUTOR
SRI.P.G. MANU - SR.PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
30.12.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.G. AJITHKUMAR, J.

B.A.No. 10292 of 2022

Dated this the 30th day of December, 2022

O R D E R

This is an application for anticipatory bail filed under Section 438 of the Code of Criminal Procedure, 1973.

2. The petitioner is the accused in Crime No.1500 of 2022 of Chadayamangalam Police Station for having allegedly committed the offence punishable under Section 420 of Indian Penal Code, 1860.

3. The prosecution allegation is that the defacto complainant is brother of the petitioner's father and during February 2022 the petitioner received Rs.5,00,000/- (Rupees five lakhs only) from the defacto complainant by withdrawing such an amount using A.T.M. card of the defacto complainant. For the repayment of that amount the petitioner has issued a cheque, but, when presented for encashment, it was dishonoured.

4. The petitioner would contend that she did not involve in the alleged crime and without any material or

evidence, she was implicated in the crime. The learned Public Prosecutor would submit that unless presence of the petitioner is ensured the investigation cannot be taken to its logical end.

5. Considering the nature of the offence alleged against the petitioner, which predominantly is a dispute of civil nature, I am of the view that the petitioner is entitled to get pre-arrest bail.

In the result, the bail application is allowed and the petitioner is directed to surrender before the investigating officer within two weeks. After interrogation and in the event of her being arrested, she shall be released on bail on the execution of a bond for Rs.50,000/- (Rupees fifty thousand only), with two solvent sureties for the like amount each, to the satisfaction of the investigating officer, and on the following conditions:

- (i) She shall not influence or intimidate witnesses or tamper with evidence;
- (ii) She shall appear before the investigating officer as and when called for; and
- (iii) During the bail period, She shall not get

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involved in any offence.

In case of breach of the bail conditions, the prosecution shall be at liberty to apply for cancellation of the bail before the jurisdictional court.

Sd/-

P.G. AJITHKUMAR, JUDGE

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APPENDIX OF BAIL APPL. 10292/2022

PETITIONER ANNEXURES

Annexure1	TRUE COPY OF THE CITIZEN COPY OF THE FIR IN CRIME NO.1500/2022 OF CHADAYAMANGALAM POLICE STATION
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