

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

THURSDAY, THE 29<sup>TH</sup> DAY OF FEBRUARY 2024 / 10TH PHALGUNA, 1945

BAIL APPL. NO. 722 OF 2024

CRIME NO.80/2024 OF OTTAPALAM POLICE STATION, PALAKKAD

PETITIONER/ACCUSED:

AYYAPPADAS

AGED 44 YEARS

S/O GANESHAN KEEZATHOOR HOUSE, KOTTAYI ,PALAKKAD, KERALA, PIN -  
678572

BY ADVS.

SUSHANTH.J.

PRASANTH V.C.

C.K.PREM RAJ

RESPONDENT/S:

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

2 SUNEERA  
W/O UBAID PERUNNILATHA HOUSE, PALLAPURAM 19TH MILE OTTAPALAM ,  
PALAKKAD, PIN - 678001

OTHER PRESENT:

SR PP SMT SEETHA S

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29.02.2024, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**O R D E R**

The application is filed under Section 438 of the Code of Criminal Procedure, 1973, for an order of pre-arrest bail.

2. The petitioner is the accused in Crime No.80/2024 of the Ottapalam Police Station, Palakkad, registered against him, for allegedly committing the offences punishable under Sections 406 & 420 of the Indian Penal Code.

3. When the bail application came up for consideration on 08.02.2024, this Court passed an interim order, by directing the petitioner to surrender before the Investigating Officer within one week from the date of order and subject himself to interrogation.

4. Heard; Sri.Sushanth J, the learned counsel appearing for the petitioner and Smt.Seetha S., the learned Public Prosecutor appearing for the first respondent.

5. The learned Public Prosecutor, on instructions, submitted that, pursuant to the order dated 08.02.2024, the petitioner surrendered before the Investigating Officer on

10.02.2024 and his interrogation has been completed. The petitioner's further presence is not required. Hence, the interim order can be made absolute, subject to additional conditions. The said submission is recorded.

Resultantly, the bail application is disposed of by making the interim order dated 08.02.2024 absolute, subject to the following conditions:

- (i) The petitioner shall co-operate with the Investigating Officer and make himself available for interrogation as and when directed by the Investigating Officer;
- (ii) The petitioner shall not intimidate witnesses or interfere with the investigation in any manner;
- (iii) The petitioner shall not get involved in any other offence while on bail.
- (iv) The petitioner shall not leave India without the permission of the jurisdictional Court;
- (v) In case of violation of any of the conditions above, the jurisdictional Court shall be

empowered to consider the application for cancellation of bail, if any filed, and pass orders on the same, in accordance with law.

(vi) Applications for deletion/modification of the bail conditions shall also be filed before the court below.

(vii) Needless to mention, it would be well within the powers of the Investigating Officer to investigate the matter and, if necessary, to effect recoveries on the information, if any, given by the petitioner even while the petitioner is on bail as laid down by the Hon'ble Supreme Court in **Sushila Aggarwal v. State (NCT of Delhi) and another** [2020 (1) KHC 663].

Sd/-

**C.S.DIAS**  
**JUDGE**

shg