

Rajamani Vs. State of Kerala

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Court : Kerala

Decided On : Oct-31-2013

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Rajamani

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH THURSDAY, THE 31ST DAY OF OCTOBER 2013 9TH KARTHIKA, 1935 Bail Appl..No. 7153 of 2013 () ----- CRIME NO. 1602/2013 OF PALAKKAD TOWN SOUTH POLICE STATION , PALAKKAD ACCUSED(S)/PETITIONER: ----- RAJAMANI AGED 40 YEARS S/O.KARUPPUSWAMI, CHALUVARAMBU, CHERAKKALAM PALAKKAD BY ADV. SRI.K.ANAND COMPLAINANT(S)/RESPONDENTS/STATE: ----- 1. STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM-682031 2. THE SUB INSPECTOR OF POLICE TOWN SOUTH POLICE STATION, PALAKKAD DISTRICT-678001 BY PUBLIC PROSECUTOR: ADV LALIZA THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31-10-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: THOMAS P.JOSEPH, J.

Dated this the 31st day of October, 2013

ORDER

Petitioner is accused, in Crime No.1602 of 2013 of the Palakkad Town South Police Station for the offences punishable under Secs.3, 13, 17 and 18A6(a) of the Kerala Money Lenders Act, 1958, apprehends arrest and has filed this application.

2. Learned Public Prosecutor has submitted that the case is registered suo moto. House of the petitioner was raided and two blank signed cheque leafs were seized.

3. Learned counsel submits that the signed blank cheque leafs were given by one Rajendran and Hakkim for payment of insurance premium for their vehicles. Learned counsel asserts that the petitioner is not engaged in money lending business and that as of now, nobody owes any amount to the petitioner. The said submission of the learned counsel is recorded. Learned counsel also submitted that Rajendran and Hakkim are prepared to file affidavits as regards circumstances in which the signed blank cheque leafs happened to be in the custody of the petitioner.

4. Having regard to the above circumstance, I am inclined to grant relief to the petitioner but subject to conditions. B.A.No.7153 of 2013 2 Resultantly this application is disposed of as under: (i) Petitioner shall surrender before the officer investigating Crime No.1602 of 2013 of the Palakkad Town South Police Station on 07.11.2013 at 10a.m for interrogation. (ii) In case interrogation is not completed that day, it is open to the officer concerned to direct presence of the petitioner on other day/days and time as may be specified by him which the petitioner shall comply. (iii) In case of arrest, petitioner shall be produced before the jurisdictional magistrate the same day. (iv) On such production, petitioner shall be released on bail (if not required to be detained otherwise) on her executing bond for `10,000/- (Rupees Ten Thousand Only) with two sureties for the like sum each to the satisfaction of the learned magistrate and subject to the following conditions: (a) Petitioner shall not engage in any money lending business without obtaining

license under the relevant laws. (b) Petitioner shall report to the Investigating Officer as and when required for interrogation. (c) In case the petitioner violates any of the above conditions, it is open to the investigating officer to B.A.No.7153 of 2013 3 move the learned magistrate for cancellation of the bail as held in P.K Shaji Vs. State of Kerala (AIR 2006 SC100. Sd/- THOMAS P.JOSEPH, JUDGE. Sbna True Copy P A to Judge

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