

Renjith Vs. State of Kerala

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Court : Kerala

Decided On : Nov-08-2013

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Renjith

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH FRIDAY, THE 8TH DAY OF NOVEMBER 2013 17TH KARTHIKA, 1935 Bail Appl..No. 7418 of 2013 ----- CRIME NO. 930/2013 OF NEYYATTINKARA POLICE STATION , THIRUVANANTHAPURAM ... PETITIONER/2ND ACCUSED: ----- RENJITH.A., AGED 28 YEARS, S/O.AYYAPPAN PILLAI, MYLAVILA PUTHEN VEEDU, KIZHAKKEPPURAM, ELAKAMON DESOM, AYIROOR VILLAGE, CHIRAYINKIL TALUK, VARKALA-695 310. BY ADV. SRI.G.BHAGAVAT SINGH RESPONDENT/COMPLAINANT: ----- STATE OF KERALA, REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM (CRIME NO.930/2013 OF NEYYATTINKARA POLICE STATION, THIRUVANANTHAPURAM DISTRICT) BY PUBLIC PROSECUTOR SRI.SREEJITH THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/11-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Kss THOMAS P.JOSEPH, J.

----- Bail Application No.7418 of 2013
----- Dated this the 8th day of November, 2013

ORDER

Petitioner is the 2nd accused in Crime No.930 of 2013 of the Neyyattinkara Police Station for the offences punishable under Sections 417 and 468 read with Section 34 of the Indian Penal Code and Sections 6(A) and 18(A) of the Kerala Money Lenders Act, is in custody in this case from 03.10.2013 and seeks bail.

2. Learned Public Prosecutor submits that the petitioner, along with other accused was conducting a Chit Fund. The allegation is that they cheated about 76 persons who had deposited money in the Chit Fund on various dates. According to the learned Public Prosecutor, the amount involved comes to around Rs.12,58,750/- (Rupees Twelve lakh fifty eight thousand seven hundred and fifty only).

3. The learned counsel submits that the allegations are not true. It is also submitted that the actual amount if any, due to the subscribers can be ascertained only after verification of the B.A.No.7418 of 2013 2 relevant records. It is also submitted that the 1st accused is released on bail.

4. Having regard to the facts and circumstances, I am inclined to grant bail but subject to conditions. Resultantly, the application is allowed as under:- Petitioner (2nd accused) is granted bail in Crime No. 930 of 2013 of the Neyyattinkara police station and will be released, if not required to be detained otherwise on his executing bond for Rs. 25,000/- (Rupees Twenty five thousand only) with two sureties for the like sum each to the satisfaction of the jurisdictional Magistrate and subject to the following conditions: a) One of the sureties shall be a close relatives of the petitioner. b) Petitioner shall report to the officer investigating the case on every alternate Saturday between 10:00 a.m. and 12:00 p.m. until filing of the final report or for a period of two months, which ever is earlier. B.A..No.7418 of 2013 3 c) Petitioner shall report to the investigating officer as and when required for interrogation. d) Petitioner shall deposit Rs.3,50,000/- (Rupees Three lakh fifty thousand only) in a Nationalised Bank in his name initially for a period of two years (renewable as per the order of the learned Magistrate) and produce the F.D.

Receipt before the learned Magistrate within forty five (45) days from the date of his release on bail. e) It is directed that in case, the case is decided against the petitioner and that he is made liable to pay compensation to any of the complainants, such compensation can be realised from the amount in deposit. f) It is directed that in case any of the above conditions is violated, it is open to the Investigating Officer or the defacto complainant to seek cancellation of the bail granted hereby by moving application before the learned B.A..No.7418 of 2013 4 magistrate as held in P.K. Shaji V. State of Kerala (AIR2006 Supreme Court 100). THOMAS P.JOSEPH, JUDGE sp

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