

Anil Kumar Vs. State of Kerala

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Court : Kerala

Decided On : Nov-07-2013

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Anil Kumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH THURSDAY, THE 7TH DAY OF NOVEMBER 2013 16TH KARTHIKA, 1935 Bail Appl..No. 7379 of 2013 () ----- CRIME NO. 1364/2013 OF MALA POLICE STATION, TRISSUR PETITIONER/ACCUSED : ----- ANIL KUMAR, S/O.ACHUTHAN, AGED 38 YEARS PULICKAPPARAMBIL, POYYA, KODUNGALLOOR THRISSUR DISTRICT. BY ADVS.SRI.S.RAJEEV SRI.K.K.DHEERENDRAKRISHNAN RESPONDENTS/STATE : ----- 1. STATE OF KERALA REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM 682031 (CRIME NO.1364/2013 OF MALA POLICE STATION THRISSUR DISTRICT) 2. STATION HOUSE OFFICER MALA POLICE STATION THRISSUR DISTRICT-680 732 (CRIME NO.1364/2013 OF MALA POLICE STATION THRISSUR DISTRICT) R1 TO R2 BY PUBLIC PROSECUTORS MT.LALIZA THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/11-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: BP THOMAS P.JOSEPH, J.

===== Bail Application No. 7379 of 2013
===== Dated this the 7th day of November, 2013

ORDER

Petitioner is the 7th accused, in Crime No.1364 of 2013 of the Mala police station for the offences punishable under Secs.406 and 420 r/w. Sec. 34 of the Penal Code, apprehends arrest and has filed this application. The allegation is that the petitioner and others who were office bearers of a charitable society offered high rate of interest to the de facto complainant and others and collected huge amount from them between 10.07.2010 to 14.01.2013 but cheated them.

2. Learned counsel submits that the petitioner was an office bearer of the society from 2005 to 2011 and that a new committee took charge on 29.05.2011. Petitioner is not the officer bearer in the new committee. It is also pointed out that relief is granted to some of the other accused and that the actual amount payable has been deposited in the court concerned pursuant to the direction issued by this B.A No.7379 of 2013 2 court in the Order dated 23.09.2013 in B.A. No. 6156 of 2013.

3. I have heard the learned Public Prosecutor also.

4. Having regard to the circumstances, I am inclined to grant relief to the petitioner.

1) Petitioner shall report to the officer investigating Crime No.1364 of 2013 of the Mala police station on 15.11.2013 at 10:00 a.m. for interrogation. 2) In case interrogation is not completed that day, the said officer can direct the petitioner to appear before him on other date/dates and time which the petitioner shall comply. 3) In case the petitioner is arrested, he shall be produced before the jurisdictional magistrate the same day. 4) On such production, the petitioner shall be released on bail in Crime No.1364 of 2013 of the Mala police station, if not required to be detained otherwise on his executing bond for Rs.15,000/- (Rupees Twenty five thousand only) with two sureties for the like sum each to the satisfaction of the learned magistrate and subject to the following conditions:- a) One of the sureties shall be a close relatives of the petitioner. B.A No.7379 of 2013 3 b) Petitioner shall report to the Investigating Officer on every Saturday between 10:00 a.m. and

12:00 p.m. for a period of two months or until filing of the final report, whichever is earlier.. c) Petitioner shall report to the investigating officer as and when required for interrogation. d) Petitioner shall not, during the period of this bail get involved in any other offence. e) Petitioner shall not intimidate/influence the witnesses. 5) It is made clear that in case any of the above conditions is violated, it is open to the Investigating Officer to seek cancellation of the bail granted hereby by moving application before the learned Magistrate as held in P.K. Shaji V. State of Kerala (AIR2006 Supreme Court 100). THOMAS P.JOSEPH, JUDGE smv

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