

Ramesh P. Das Vs. the State of Kerala

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Court : Kerala

Decided On : Jun-17-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Ramesh P. Das

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH TUESDAY,THE17H DAY OF JUNE201427TH JYASHTA, 1936 Bail Appl..No. 3817 of 2014 ----- CRIME NO. 822/2014 OF VAIKOM POLICE STATION , KOTTAYAM DISTRICT ----- PETITIONER : ----- RAMESH P.DAS, AGED39YEARS, S/O.DASAN, PARAPPALLITHARA HOUSE, THALAYAZHOM P.O., ULLALA, VAIKOM TALUK, KOTTAYAM DISTRICT. BY ADVS.SMT.A.SREEKALA SMT.C.R.DIYA RESPONDENT : ----- STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, REPRESENTING THE S.I. OF POLICE, VAIKOM POLICE STATION. BY PUBLIC PROSECUTOR SRI.C.RASHEED THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON1706-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Msd. THOMAS P. JOSEPH, J.

Dated this the 17th day of June, 2014

ORDER

Petitioner is accused in Crime No.822 of 2014 of the Vaikom Police Station for the offence punishable under Section 17 of the Money Lenders Act, 1958, apprehends arrest and has filed the application. 2.Learned Public Prosecutor has opposed the application. It is submitted that the petitioner is conducting chitty without authority and a search was conducted in the premises of the petitioner. Several documents were seized. 3.Learned counsel submits that the allegations are not true. Petitioner is not connected with the chitty business. 4.I have gone through the CD file and find that various records were seized by the police in the search. But Bail Appl.No. 3817 of 2014 () 2 the question whether the petitioner is involved in that is to be investigated and found out. Having regard to the relevant circumstances, I am inclined to think that custodial interrogation of the petitioner is not required. But, he has to be questioned by the police. The application is disposed of as under.

1. Petitioner shall surrender before the officer investigating the case on 26.06.2014 at about 10 am for interrogation.
2. In case interrogation is not completed that day, the petitioner shall appear before the officer investigating the case any other day/days and time as directed by the investigating officer.
3. In case the petitioner is arrested, he shall be released by the arresting officer (if not required to be detained Bail Appl.No. 3817 of 2014 () 3 otherwise) on his executing bond for Rs.20,000/- (Rupees Twenty thousand only) each with two sureties for the like sum each before the arresting officer and subject to the following conditions: a) One of the sureties shall be a close relative of the petitioner. b) Petitioners shall report to the investigating officer as and when required for interrogation. c) Petitioners shall co-operate with the investigation of the case. d) Petitioner shall not engage money lending business or conduct chitty except in accordance with the provisions of the law. c) Petitioners shall not intimidate or influence the witnesses. d) It is made clear that in case any of the

above condition is violated, it is open to the Bail Appl.No. 3817 of 2014 () 4 Investigating Officer to seek cancellation of the bail granted hereby by moving application before the jurisdictional magistrate as held in P.K. Shaji V. State of Kerala (AIR2006 Supreme Court 100). sd/- THOMAS P. JOSEPH JUDGE AMV /TRUE COPY/ P.A.TO JUDGE

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