

Vipindas Vs. State of Kerala

Vipindas Vs. State of Kerala

SooperKanoon Citation : sooperkanoon.com/1156267

Court : Kerala

Decided On : Jul-10-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Vipindas

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH THURSDAY, THE 10TH DAY OF JULY 2014 19TH ASHADHA, 1936 Bail Appl..No. 5042 of 2014 ----- CRIME NO. 680/2014 OF PALAKKAD TOWN SOUTH POLICE STATION , PALAKKAD PETITIONER/ACCUSED: ----- VIPINDAS, AGED 33 YEARS, S/O. LATE VASU, POOKKATTUVALAPPIL HOUSE, NHANGATTRIKADAVU, NHANGATTIRI P.O, OTTAPPALAM TALUK, PALAKKAD DISTRICT. BY ADV. SRI.NIREESH MATHEW RESPONDENT/COMPLAINANT: ----- STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SRI.SREEJITH V.S. THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 1007-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Kss THOMAS P. JOSEPH, J., ----- B.A. No. 5042 OF 2014-----
Dated this the 10th day of July, 2014

ORDER

Petitioner is accused in Crime No. 680 of 2014 of the Palakkad Town South Police Station for the offences punishable under Sections 3 and 17 of the Kerala Money Lenders Act, Section 18A(6A) of the Kerala Prohibition of Charging Exorbitant Interest Act, 2012 apprehends arrest and has filed the application.

2. Learned Public Prosecutor has opposed the application. It is submitted that premise of the petitioner was searched on 12.05.2014 and certified copy of two sale deeds, three printed forms of demand promissory notes, one signed blank cheque leaf and an election ID card were seized.

3. Learned counsel submitted that going by Annexure-A, sale deeds are of the properties belonging to the petitioner. The petitioner is engaged in rent-a-car business and the printed form of demand promissory notes and blank cheque leaf were obtained in connection with that business. Learned counsel for the petitioner asserts that the petitioner will not claim or make use of B.A.. No. 5042/2014 2 the printed forms of demand promissory notes and signed blank cheque leaf seized. The said submission is recorded.

3. In the light of circumstances, I am inclined to grant relief as custodial interrogation is not required but, subject to conditions. The application is allowed as under:

1. Petitioner shall surrender before the officer investigating Crime No. 680 of 2014 of the Palakkad Town South Police Station on 17.07.2014 at 10.00 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 as directed by the investigating officer.

3. In case the petitioner is arrested, he shall be released by the arresting officer on his executing bond for `20,000/- (Rupees twenty thousand only) 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. Petitioner shall report to the investigating officer as and when required for interrogation. B.A.. No. 5042/2014 3 c. Petitioner shall not engage in money lending business without permission from appropriate authorities. d Petitioner shall not influence or intimidate any of the witnesses. e. Petitioner shall not get involved any offence during the period of this bail. f. In case any of condition Nos.(b) to (e) is violated, it is open to the investigating officer to file application before the jurisdictional magistrate concerned for cancellation of the bail granted hereby, as held in P.K.Shaji v.State of Kerala [AIR 2006 SC100. Sd/- THOMAS P. JOSEPH JUDGE sd // TRUE COPY // P.A. TO JUDGE

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com