

Krishnankutty Vs. State of Kerala

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Court : Kerala

Decided On : Aug-01-2014

Judge : Honourable Mr. Justice K.Abraham Mathew

Appellant : Krishnankutty

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW FRIDAY, THE 1ST DAY OF AUGUST 2014 10TH SRAVANA, 1936 Bail Appl..No. 5651 of 2014 ()
----- CRIME NO. 753/2014 OF PANDALAM POLICE STATION, PATHANAMTHITTA DISTRICT ----- PETITIONER/ACCUSED :
----- KRISHNANKUTTY, AGED 67 YEARS S/O. KARUTHA KUTTY, KOTTAKKATTETHU, PONAKAM MAVELIKKARA P.O. BY ADV. SRI.CIBI THOMAS RESPONDENT : ----- STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SRI. C. RASHEED THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01-08-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Mn K. ABRAHAM MATHEW, J.

----- B.A. Nos.5651 & 5709 of 2014 -----
----- Dated this the 1st day of August, 2014 -----

ORDER

The petitioners apprehend that they will be arrested by the police in connection with crime No.753/2014 of Pandalam Police Station, which has been registered for the offences under Sections 13 & 17 of the Kerala Money Lenders Act and Sections 3 & 4 of the Kerala Prohibition of Charging Exorbitant Interest Act, 2012.

2. When the matter was heard, it was brought to my notice that the petitioners 1 and 4 in B.A.No.5709/2014 are the 4th and 5th accused and the other petitioners in that bail application are not accused. The petitioner in the other bail application is the 6th accused. It is submitted by the learned counsel for the petitioners that they are not involved in the commission of the offences alleged in the case.

3. Heard.

4. A search was conducted in the house of the first accused on 27.05.2014 and certain documents were seized and he was arrested. The 2nd and 3rd accused, who are his B.A. Nos.5651 & 5709 of 2014 -2- wife and son, also were arrested. The 1st and 2nd petitioners in B.A.No.5709/2014 are the mother and mother-in-law of the first accused. The petitioner in B.A.No.5651/2014 is his father-in-law. They have been made accused in the case because certain documents seized by the police are executed in their favour. But it appears that the business was conducted by the other accused. So granting anticipatory bail to the petitioners will not affect the investigation of the case. In the result, these applications are allowed in part with the following conditions:

1. The petitioners 1 & 4 in B.A.No.5709/2014 and the petitioner in B.A.No.5651/2014 will be released on bail after interrogation on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned if they are arrested by the police in connection with this case. B.A. Nos.5651 & 5709 of 2014 -3- 2) They shall appear before the Investigating Officer for interrogation, if they are so required by him in writing. 3) They shall not tamper with the evidence. 4) They shall not influence or intimidate the witnesses. 5) They shall not commit

any economic offence while they are on bail. This order is not applicable if the petitioners choose to surrender before the Magistrate concerned and in such case the learned Magistrate may take appropriate action in accordance with the law. B.A.No.5709/2014 is dismissed so far as the petitioners 2 & 3 are concerned. Sd/- K. ABRAHAM MATHEW JUDGE //True copy// P.A. TO JUDGE shg/

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