

**Vijayakumar vs State of Kerala**

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**Court :** Kerala

**Decided On :** Jun-14-2022

**Judge :** Honourable Mr.Justice Viju Abraham

**Appeal No. :** Bail Appl./780/2021

**Appellant :** Vijayakumar

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE VIJU ABRAHAM  
TUESDAY, THE 14TH DAY OF JUNE 2022 / 24TH JYASHTA, 1944  
BAIL APPL. NO. 780 OF 2021 CRIME NO.1692/2019 OF ATTINGAL  
POLICE STATION PETITIONER/ACCUSED: VIJAYAKUMAR AGED 45  
YEARS, ANJALI NIVAS, KOONTHALLOOR, CHIRAYINKEEZH P.O,  
KIZHUVALAM VILLAGE, CHIRAYINKEEZHU TALUK,  
THIRUVANANTHAPURAM DISTRICT, THIRUVANANTHAPURAM, PIN  
- 695101 BY ADV RASHEED C.NOORANAD RESPONDENTS: 1  
STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031 2 STATION  
HOUSE OFFICER ATTINGAL POLICE STATION,

THIRUVANANTHAPURAM 3 VENUGOPALAN NAIR AGED 61 YEARS, KALLUVILA PUTHEN VEEDU, NEAR MULAYATHARA KAVU, ANDOOR, KURAKADA, KOONTHALLOOR, ATTINGAL, THIRUVANANTHAPURAM, PIN - 695101 BY ADVS. SR.PP - SMT. SEETHA S. THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14.06.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: ..2..

## **ORDER**

Dated this the 14th day of June, 2022 This is an application for anticipatory bail.

2. The petitioner is the 3rd accused in Crime No.1692/2019 of Attingal Police Station alleging commission of offence punishable under Sections 420 r/w Section 34 IPC.

3. It is the case of the prosecution that the petitioner

who is the Branch Manager of the Kerala Housing Finance Limited, Attingal Branch, along with accused Nos.1 and 2, with an intention to cheat customers, represented that the said firm is having proper registration and thereby they induced the defacto complainant to deposit Rs.15,20,000/- in the above firm. Thereafter they have not returned the amount deposited

and interest on the deposit to the de facto complainant. By doing the above acts, the accused having committed the above said offences.

4. The learned Public Prosecutor opposed the bail application.

5. The learned counsel for the petitioner submitted that he is totally innocent and has been falsely implicated in ..3..

the above crime. He is only a manager and is not involved in the management of the company. It is further submitted that one of the Branch Manager of the company was granted anticipatory bail as per Anx.III - order and that he is also similarly situated.

5. Having regard to the facts and circumstances of the case and considering the nature of the allegations, I am inclined to grant bail to the petitioner subject to stringent conditions. In the result, this application is allowed. It is

directed that the petitioner shall be released on bail, in the event of arrest in Crime No.1692/2019 of Attingal Police Station, subject to the following conditions:-

(i) Petitioner shall execute bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like-sum to the satisfaction of the Arresting officer ;

(ii) Petitioner shall appear before the investigating officer in Crime No.1692/2019 of Attingal Police Station as and when summoned to do so; ..4..

(iii) The petitioner shall not involve in any other crime while on bail. If any of the aforesaid conditions are violated, the investigating officer in Crime No.1692/2019 of Attingal Police Station may file an application before the jurisdictional Court, for cancellation of bail. Sd/- VIJU ABRAHAM, JUDGE ded/14.06.2022

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