

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

Bail Appl..No. 22 of 2015

**CRIME NO. 1635/2014 OF KEEZHVAIPUR POLICE STATION,
PATHANAMTHITTA DISTRICT.**
.....

PETITIONER/ACCUSED NO.1:

**V.A.HARIKUMAR, AGED 43,
S/O.APPUKUTTAN NAIR, BINDU SADANAM,
MANTHANAM P.O, KUNNAMTHANAM VILLAGE,
PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.N.P.PRAJEESH
SRI.BIJO THOMAS GEORGE**

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY SUB INSPECTOR OF POLICE,
KEEZHVAIPUR POLICE STATION,
BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 05-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B.KEMAL PASHA, J.

.....
Bail Application No. 22 of 2015
.....

Dated this the 5th day of March, 2015.

O R D E R

Petition under Section 438 Cr.P.C.

2. Petitioner is the 3rd accused in Crime No.1635/2014 of Keezhvaipur Police Station registered for the offences punishable under Sections 420 and 506(i) read with Section 34 IPC, Section 17 of the Money Lenders Act and Section 9(A) of Charging Exorbitant Interest Act,2014.

3. The allegation against the petitioner is that he along with the second accused had assisted the first accused in carrying out the money lending business and obtained in their name an agreement executed by the de-facto complainant, which was prepared by the first accused. The first accused is the money lender for whom the petitioner had allegedly acted. The first accused has been

arrested and detained.

4. Heard learned counsel for the petitioner and learned Public Prosecutor.

5. The only allegation against the petitioner is that he was a stooge in the hands of the first accused and he along with the second accused had obtained an agreement executed in their favour by the de-facto complainant, as name lenders of A1.

6. Considering the facts and circumstances of the case, this is not a case wherein the custodial interrogation of the petitioner is required for the continued investigation of the case. No criminal antecedents have been reported against the petitioner. Matters being so, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on

his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

(i) The petitioner shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Thursdays and Mondays, commencing from 12-3-2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

B.KEMAL PASHA, J.
(Judge)

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