

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

Bail Appl..No.403 of 2015

CRIME NO.978/2014 OF MAYYIL POLICE STATION,KANNUR.

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PETITIONERS/ACCUSED:

1. PRASEED.K,S/O.RATHNAKARAN,AGED 30 YEARS,
KIZHAKKE VALAPPIL HOUSE,KUTTATOOR AMSOM DESOM,
P.O.KUTTIATTOOR,KANNUR DISTRICT.
2. PRASAD.K,S/O.RATHNAKARAN,AGED 28 YEARS,
KIZHAKKE VALAPPIL HOUSE,KUTTATOOR AMSOM DESOM,
P.O.KUTTIATTOOR,KANNUR DISTRICT.
3. PRADEEP.K,S/O.RATNAKARAN,AGED 32 YEARS,
KIZHAKKE VALAPPIL HOUSE,KUTTATOOR AMSOM DESOM,
P.O KUTTIATTOOR,KANNUR DISTRICT.
4. PRAKASHAN.K,S/O.RATNAKARAN,AGED 32 YEARS,
KIZHAKKE VALAPPIL HOUSE,KUTTATOOR AMSOM DESOM,
P.O KUTTIATTOOR,KANNUR DISTRICT.
5. RATNAKARAN,AGED 64 YEARS,KIZHAKKE VALAPPIL HOUSE,
KUTTATOOR AMSOM DESOM,P.O KUTTIATTOOR,KANNUR DISTRICT.

**BY ADVS.SRI.V.C.JAMES
SRI.K.KUNHIKRISHNAN**

RESPONDENTS/STATE:

**THE STATE OF KERALA,REPRESENTED BY
THE S.H.O,MAYYIL POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM,PIN-682 031.**

BY PUBLIC PROSECUTOR SMT.REMA.R

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

SUNIL THOMAS, J.

B.A. No. 403 of 2016

Dated this the 5th day of February, 2016

O R D E R

Petitioner is the first accused in Crime No.1603/2015 of Kottiyam police station for offences punishable under Sections 420, 468, 381 and 34 IPC.

2. Allegation of the prosecution is that the accused, being employed in the establishment of the defacto complainant as a sale supervisor, had committed breach of trust with the assistance of few other employees and committed misappropriation of about Rs.1.5 crores. Investigation is progressing and the petitioner seeks bail.

3. Heard learned counsel for the petitioner, learned counsel for the defacto complainant and the learned Public Prosecutor.

4. According to the learned counsel for the petitioner, he is sought to be falsely implicated for having agitated for the rights of the employees and for initiating trade union movement. It is alleged that they were protesting against the various acts of the employer.

5. Available materials indicate that the employer had specifically alleged that the petitioner herein had been selling items from the establishment using forged receipts and without making corresponding entries of the full amount so received, misappropriated the amount with the assistance of the few other employees. Employer has specifically referred to few instances of such misappropriation. Specific allegation is that the petitioner was issuing forged bills and receipts and thereby had committed misappropriation of crores of rupees. Investigation is progressing. Statement of few crucial witnesses have been recorded under Section 164 Cr.P.C

Having regard to the nature of the allegation and the complicity alleged against the petitioner, it appears that there are several facts which are within the exclusive knowledge of the petitioner, which may not be disclosed if pre arrest bail is granted. Hence, I am not inclined to grant bail to the petitioner and accordingly dismissed.

Sd/-

SUNIL THOMAS
Judge

dpk

/true copy/ PS to Judge.

