

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

Bail Appl..No. 495 of 2015

CRIME NO. 602/2014 OF AMBALAVAYAL POLICE STATION , WAYANAD

PETITIONER(S)/1ST ACCUSED:

**SHEELA BABU, AGED 40 YEARS,
W/O.BABU MATHEW, RESIDING AT PONTANANIKKAL HOUSE,
NENMENI PO., MADAKARA, CHEERAL,
WAYANAD DISTRICT.**

**BY ADVS.SRI.T.SETHUMADHAVAN (SR.)
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR
SMT.VANDANA MENON
SMT.N.DEEPA**

RESPONDENT(S):

- 1. S.I. OF POLICE, AMBALAVAYAL POLICE STATION,
(CRIME NO.602/2014 OF AMBALAVAYAL POLICE STATION.),
WAYANAD DISTRICT 673593.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20-08-2015,
ALONG WITH BA. 583/2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.Nos. 495 & 583 of 2015

Dated this the 20th day of August, 2015

COMMON ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused 1 & 2 in Crime No. 602 of 2014 of Ambalavayal Police Station. They are accused of having committed the offences under Sections 120(A), 120(B), 405 and 409 read with Section 34 of the Indian Penal Code.

3. The prosecution case is that the first accused was the Secretary of a firm and the second accused its Managing Partner. It is alleged that they have misappropriated Rs.6,32,588/-

4. Heard.

5. It is admitted by both sides that the first accused has remitted the whole amount so far as she is concerned. The second accused is yet to deposit Rs.14,489/-. In these circumstances, I am inclined to grant their prayer.

In the result, these applications are allowed.

1)The petitioners shall be released on bail on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum if they are

arrested by the Police in connection with this case.

- 2)Petitioner in Bail Application No. 583 of 2015 shall deposit Rs.14,489/- (Rupees fourteen thousand four hundred and eighty nine only) in the trial court within two weeks, failing which the Investigating Officer shall file an application before the court concerned to cancel the bail.*
- 3)They shall surrender their passports before the lower court concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.*
- 4)They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 5)They shall appear before the Investigating Officer for interrogation if they are so required by him in writing.*
- 6)They shall not intimidate or attempt to influence the witnesses.*
- 7)They shall not destroy or tamper with evidence.*
- 8)They shall not get themselves involved in any other criminal case while they are on bail.*
- 9)They shall co-operate with investigation of the case.*

If the petitioners surrender before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

In case of violation of any of the above conditions, the

learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

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P.A. To Judge