

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

Bail Appl..No. 509 of 2015 ()

CRIME NO. 45/2015 OF ARIYAMCODE POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED NO.1 :

LATHAKUMARI,
D/O.RAJAMMA, HOUSEWIFE, AGE 42, JJ NIVAS
CHEKKITTAVILAKOM, OTTASEKHARAMANGALAM DESOM
-DO- PANCHAYAT, -DO- VILLAGE, KATTAKKADA TALUK
THIRUVANANTHAPURAM DISTRICT.

BY ADVS.SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.V.S.THOSHIN

RESPONDENT/STATE :

THE STATE OF KERALA,
THROUGH THE SUB INSPECTOR OF POLICE
ARIYAMCODE POLICE STATION, THIRUVANANTHAPURAM (RURAL)
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.

BY SR. PUBLIC PROSECUTOR SRI. C. RASHEED

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

B.KEMAL PASHA, J.

B.A.No.509 of 2015

Dated this the 12th day of March 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.45/2015 of Ariyamcode police station, Thiruvananthapuram district registered for the offences punishable under Sections 406, 420, 506(i) of the I.P.C. and 17 of Kerala Money Lenders Act and 3 of Kerala Prohibition of Charging Exorbitant Interest Act 2012.

3. The allegation against the petitioner is that she had conducted money lending business, without license and lent an amount of ₹1,50,000/- to the *defacto complainant* by charging an

interest of ₹3,000/- per month, for which she demanded the execution of a sale deed in her favour in respect of 5 cents of property belongs to the *defacto complainant*. It is further alleged that on 7.5.2014 at 11 a.m., under the guise of getting the sale deed in respect of 5 cents of property belongs to the *defacto complainant* executed, the petitioner obtained the sale deed executed in respect of 10 cents of property belongs to the *defacto complainant*.

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

5. It seems that the investigation of this case is practically over. 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. Considering all the above, I am of the view that anticipatory bail can be granted to the petitioner.

6. 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 her arrest on her 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 19.3.2015 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 herself 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.

Sd/-
B.KEMAL PASHA,
JUDGE

dl

// TRUE COPY //

PA to Judge