IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

Bail Appl..No. 1121 of 2015 ()

CRIME NO. 1945/2014 OF IRINJALAKUDA POLICE STATION,THRISSUR DISTRICT

PETITIONER/ACCUSED:

SREEJITH, AGED 27 YEARS,
S/O. GANAPATHY, NARAYANEEYAM APARTMENTS,
THOUNDAYIL LANE, PANAMPILLY NAGAR, ERNAKULAM.

BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY

RESPONDENT(S)/STATE:
----

1. **STATE OF KERALA,**
   REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM - 682 031 (CRIME NO. 1945/14 OF IRINJALAKUDA
   POLICE STATION,THRISSUR)

2. **STATION HOUSE OFFICER,**
   IRINJALAKUDA POLICE STATION,
   THRISSUR DISTRICT -680 121 (CRIME NO. 1945/14 OF IRINJALAKUDA
   POLICE STATION, THRISSUR)

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

B. KEMAL PASHA, J.

``````````````````````````````````````````````````````

B.A. No.1121 of 2015

``````````````````````````````````````````````````````

Dated this the 23rd day of March, 2015

O R D E R

~ ~ ~ ~ ~ ~ ~

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1945/2014 of Irinjalakuda Police Station registered for the offences punishable under Sections 409, 465 and 420 IPC.

3. The petitioner was working as Assistant Manager, Priority Banking, at the Tana Branch at Irinjalakuda of the Federal Bank Limited. While so, by forging the signature of one Ahammed Kabeer, who was operating a FD account in the said bank, he has withdrawn an amount of ₹4,50,000/- from the said FD account by way of loan on 14.12.2013. Thereafter, on 09.07.2014, through the very same *modus operandi*, he has withdrawn the said amount from the NRE

account of one P.B.Peter at the bank and deposited that amount in the account of Ahammed Kabeer. On coming to know about the said mischief committed by the petitioner, the father of the petitioner has deposited an amount of ₹4,75,000/- to the COMS account of the Tana Branch of the Federal Bank Limited at Irinjalakuda.

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

5. The allegation against the petitioner are very grave and serious. At the same time, it seems that the entire amount taken away by the petitioner from the bank has been returned by the father of the petitioner by depositing the same at the bank. Therefore, no amount is presently due from the petitioner to the bank towards the said transaction. When the whole amount has been deposited, I do not think that the custodial interrogation of the petitioner is required for the continued investigation of this case. Matters being so, I am of the view that this is a fit

case wherein anticipatory bail can be granted to the petitioner, especially when no criminal antecedents have been reported against 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 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 Mondays and Thursdays commencing from 30.03.2015 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.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/23/03

// True Copy //

PA to Judge