

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

Bail Appl..No. 1350 of 2015

CRIME NO. 2042/2014 OF ERNAKULAM NORTH POLICE STATION , ERNAKULAM

PETITIONER(S)/1ST ACCUSED:

**JITHU.V.MENON, AGED 44 YEARS,
S/O.VISWANATHA MENON, D.NO.10 F, SKYLINE TOPAZ
KALOOR-KADAVANTHRA RD, KADAVANTHRA, KOCHI-20.**

**BY ADVS.SRI.SUNIL NAIR PALAKKAT
SRI.K.N.ABHILASH**

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. THE STATE OF KERALA
REP.BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM 682 031.**
- 2. THE STATION HOUSE OFFICER
ERNAKULAM TOWN NORTH POLICE STATION,
ERNAKULAM DISTRICT 682 018.**

BY PUBLIC PROSECUTOR SRI.ABDUL RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17-03-2015,
ALONG WITH BA.NO.1353/2015 AND CONNECTED CASES, THE COURT ON
THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

B.A.Nos.1369, 1375, 1365, 1353, 1370, 1366,
1350, 1376, 1380 and 1374 of 2015

Dated this the 17th day of March 2015

ORDER

Petitions filed under Section 439 Cr.P.C.

2. The petitioner in the above applications, is the first accused in Crime Nos.2029, 2030, 2031, 2032, 2040, 2041, 2042, 2043, 2056 and 2117 of 2014 of Ernakulam Town North Police Station registered for the offences punishable under Sections 406 and 420 of the I.P.C.

3. It is alleged that the petitioner, who was conducting an institution named Artique Diamonds and Jewellers Private Limited, with an intention to cheat and defraud the *defacto complainants* in all the aforesaid cases and others, obtained crores of rupees from them, by enrolling them as parties in different 'advance gold

schemes' and has not cared to repay the amount or to give the gold. The petitioner has been in custody for the period from 25.2.2015 onwards in these cases. The petitioner in all the above cases has been in custody for the period from 23.12.2014 onwards.

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

5. When the petitioner has been in custody for the period from 23.12.2014 onwards and as the final report has not been filed in the matter, the petitioner is entitled to compulsive bail under Section 167(2) of the Code of Criminal Procedure in all the said cases.

6. In the result, these Bail Applications are allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/-(Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, in each of the cases, and subject to the

following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 am and 11 am on all Tuesdays and Fridays, for a period of six months commencing from the date on which he gets released on bail.

(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

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PA to Judge