

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Bail Appl..No. 1425 of 2015

CRIME NO. 2252/2014 OF ADOOR POLICE STATION , PATHANAMTHITTA DISTRICT

PETITIONER(S)/ACCUSED 1 TO 6 :

- 1. SADANANDAN, AGED 59 YEARS,
CHAIRMAN, SNIT ENGINEERING COLLEGE, THEEPUPARA P.O.,
ADOOR, PATHANAMTHITTA - 691 554.**
- 2. ABIN AMBADIYIL, AGED 40 YEARS,
MANAGING DIRECTOR, SNIT ENGINEERING COLLEGE,
THEEPUPARA P.O., ADOOR, PATHANAMTHITTA - 691 554.**
- 3. DR.G.PAVITHRAN, AGED 53 YEARS,
PRINCIPAL, SNIT ENGINEERING COLLEGE, THEEPUPARA P.O.,
ADOOR, PATHANAMTHITTA - 691 554.**
- 4. PRASANTH NARAYANAN, AGED 52 YEARS,
HEAD OF THE DEPARTMENT, SNIT ENGINEERING COLLEGE,
THEEPUPARA P.O., ADOOR, PATHANAMTHITTA - 691 554.**
- 5. KEVIN THOMAS, AGED 50 YEARS,
STAFF ADVISOR, SNIT ENGINEERING COLLEGE,
THEEPUPARA P.O., ADOOR, PATHANAMTHITTA - 691 554.**
- 6. RADHAKRISHNAN, AGED 48 YEARS,
ACADEMIC CO-ORDINATOR, SNIT ENGINEERING COLLEGE,
THEEPUPARA P.O., ADOOR, PATHANAMTHITTA - 691 554.**

**BY ADVS.SRI.BECHU KURIAN THOMAS
SRI.S.SREEDEV**

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.SUDHEENDRA KUMAR, J.

.....
B.A.No. 1425 of 2015
.....

Dated this the 25th day of June, 2015

ORDER

The petitioners are the accused in Crime No.2252 of 2014 of Adoor Police Station, Pathanamthitta District, registered under Sections 406, 341, 506(1) and 34 of the Indian Penal Code.

2. The prosecution allegation can be briefly stated as follows:- The 1st petitioner is the Chairman and the 2nd petitioner is the managing director of Sree Narayana Institute of Technology (SNIT) Engineering College, Adoor. The 3rd petitioner is the Principal and petitioner Nos.4 to 6 are the lecturers of the said institution. The de facto complainant is a student of that institution. The petitioners collected an amount of Rs.3,74,000/- towards the fee for the entire four year course. However, the petitioners did not collect the examination fee from the de facto complainant for the 4th semester examination. The de facto complainant was also not permitted to write the 4th semester examination on the reason that the de facto complainant was not up to the standard to get through the examination.

3. The petitioners have filed this application under Section

438 of the Code of Criminal Procedure.

4. Heard.

5. The learned Public Prosecutor has no serious objection in allowing this application. It appears that the allegations levelled against the petitioners do not prima facie contain the ingredients to constitute the offences as alleged. Considering the facts and circumstances of the case, I am of the view that this is a fit case where an order under Section 438 of Cr.P.C. in favour of the petitioners will be justified.

In the result, this application stands allowed and the respondents are directed to release the petitioners on bail in the event of their arrest in connection with Crime No.2252 of 2014 of Adoor Police Station on condition of each of the petitioners executing a bond for Rs.10,000/- (Rupees Ten thousand only) each, with two solvent sureties each, each for the like sum to the satisfaction of the arresting officer and subject to the following conditions:

- i) The petitioners shall report before the investigating officer as and when required for interrogation.
- ii) The petitioners shall not influence or intimidate

the witnesses or in any way tamper with the investigation.

iii)The petitioners shall not get involved in any offence during the period of this bail.

sd/-
B.SUDHEENDRA KUMAR,
JUDGE.

AMV/25/06/