

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

Bail Appl..No. 1538 of 2015 ()

**CRIME NO. 192/2015 OF ADOOR POLICE STATION,
PATHANAMTITTA DISTRICT**

PETITIONERS/ACCUSED A1 & A2 :

- 1. SHAMEERA SANTHOSH, AGED 33 YEARS,
W/O. SANTHOSH, VANIAKKATTU VEETIL, PARAKKODU MURI
ADOOR VILLAGE, KOLLAM DISTRICT.**
- 2. LATHA AMMAL P., AGED 40 YEARS,
W/O. SURESH, PANKKODE P.O., ADOOR,
KOLLAM DISTRICT.**

**BY ADVS.SRI.S.V.PREMAKUMARAN NAIR
SRI.R.T.PRADEEP
P.S.ANJU**

RESPONDENTS :

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

***ADDL. R2 IMPEADED :**

- *2. REMA DEVI, AGED 36 YEARS, W/O. SELVAKUMAR,
NEDUMKULANJI, PADANILAM, NOORANADU
* ADDL. R2 IS IMPEADED AS PER ORDER DT 01/04/2015 IN
CRL.M.A. 2989/2015 IN BA 1538/2015**

**R1 BY PUBLIC PROSECUTOR SMT.R. REMA
ADDL.R2 BY ADV. SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A.No.1538 of 2015

Dated this the 26th Day of November, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused Nos.1 and 2 in Adoor Police Station Crime No.192/2015, registered for the offences under Section 420 read with Section 34 of the Indian Penal Code. The petitioners seek pre-arrest bail.

3. The prosecution case in short is that, the petitioners as Secretary and Treasurer of a Women Welfare Society, made the people believe that they could create self-help groups by collecting money from the members and also promised to the members to arrange loans from nationalized banks. It is further alleged that and in that pretext they collected money and cheated the public.

4. Heard the learned counsel for the petitioner, learned counsel for the de facto complainant and learned Public Prosecutor.

5. The learned counsel for the petitioners submitted that the petitioners have not done any cheating.

Documents have been produced before the court to show that they have lawfully conducted the business.

6. Learned counsel for the de facto complainant opposed the bail application contending that the petitioners have no consistent case. Even according to the the their own document, they have collected various amounts from various beneficiaries. The learned Public Prosecutor also opposed the bail application contending that the petitioners have committed the offences.

7. Considering the nature of allegations and the requirement of their presence for investigation I am inclined to grant anticipatory bail to the petitioners with the following conditions:

- (a) Petitioners shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit themselves for interrogation. Thereafter, they shall be released on bail on their executing a bond for `25,000/- (Rupees Twenty Five Thousand Only) each with two solvent sureties each

for the like sum to the satisfaction of the Investigating Officer.

- (b) The petitioners shall appear before the Investigating Officer as and when required for the purpose of interrogation.
- (c) The petitioners shall co-operate with the investigation of the case.
- (d) The petitioners shall not intimidate or attempt to influence the witnesses.
- (e) The petitioners shall not in any manner interfere or meddle with the investigation.
- (f) Petitioners shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AVS

//TRUE COPY//

P.A. TO JUDGE