

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

Bail Appl..No. 1798 of 2015

**AGAINST THE ORDER IN CMP 533/2015 IN CC.21/2015 OF JUDICIAL FIRST CLASS
MAGISTRATE - II,THAMARASSERY.**
.....

PETITIONER/ACCUSED NO.1:

**SHAJI P, AGED 43 YEARS,
MANAGING DIRECTOR,
SHILLING CHITS PVT. LTD., DOOR NO. 46,
VRINDAVAN TOURIST HOME BUILDING,
EAST NADAKAVU, CALICUT - 673066,
RESIDING AT SREERAG, PILLASSERY,
KUNNAMANGALAM P.O.**

BY ADV. SRI.T.K.RAJESHKUMAR

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI - 682031.**
- 2. S.I. OF POLICE, POLICE STATION, MUKKAM,
KOZHIKODE DISTRICT, PIN - 673602.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B.KEMAL PASHA, J.

.....
B.A. No.1798 of 2015

.....
Dated this the 9th day of April, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.191/2013 of the Mukkom Police Station, presently pending as C.C.21/2015 before the Judicial First Class Magistrate's Court-II, Thamarassery, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. The allegation against the petitioner and the other accused is that they have conducted chitty business in the name and style as "Shilling Chits Pvt. Ltd.' at Kozhikode and they have defrauded and cheated the defacto complainant and others to the tune of Rs.1,09,000/-.

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

5. Petitioner has surrendered before the court below on 31.01.2015. Considering the submissions made by the learned counsel for the petitioner, I am of the view that the petitioner can be enlarged on bail, on strict conditions.

7. In the result, this Bail Application is 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, and subject to the following terms and conditions:-

(i) The petitioner shall deposit an amount of ₹1,09,000/- (Rupees one lakh nine thousand only) before the court below, within a period of one month from today and the said amount shall be kept in deposit till the disposal of the case, for compensating the loss, if any, sustained to the defacto complainant etc. in this case.

(ii) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Thursdays and Mondays commencing from 16.04.2015 for a period of three months.

(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

ul/-

[True copy]

P.S. to Judge