IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

Bail Appl..No. 1827 of 2015 ()

CRIME NO. 339/2015 OF THRISSUR EAST POLICE STATION , THRISSUR DISTRICT

PETITIONER/ACCUSED NO.1:

AJAY LAZAR E.R., AGED 42 YEARS,
S/O. RAPPAI, EDAKULATHUR HOUE, PERINGAVU,
THRISSUR DISTRICT - 680 008.

BY ADV. SRI.IEANS.C.CHAMAKKALA

RESPONDENT :

STATE OF KERALA,
REPRESENTD BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA - 682 031.

BY PUBLIC PROSECUTOR SMT. M.MADHUBEN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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K.P. JYOTHINDRANATH, J.

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B.A. No.1827 of 2015

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Dated this the 7th day of July, 2015

O R D E R

This is an application filed under Section 438 of the Code of Criminal Procedure.

2. When the matter came up for hearing, learned counsel for the applicant submitted before me that he is working as Business Development Manager in Reliance Life Insurance Company Limited. He is now arrayed as the first accused in crime No.339/2015 of Thrissur Town East Police Station. The offence alleged is under Sections 409, 420 and 465 r/w. Section 34 of IPC.

3. It is the submission that the defacto complainant is working as Advisor in the Reliance Insurance Company Limited. It is the further submission that she joined as an Advisor and started to work for the said company and it is alleged that for getting a code number, at the instance of the accused, an account was opened in Andhra Bank. It is the further submission that the allegation is that through the said account, a total sum of Rs.13 lakhs was transacted without the knowledge of the defacto complainant that also by obtaining two signed blank cheques of her. It is the submission that the applicant had

nothing to do with the said transaction. It is also submitted before me that the second accused was the Branch Manager, who did so and regarding the same petitioner had made complaints and details are provided.

4. I have heard the learned Public Prosecutor.

5. The learned Public Prosecutor submitted before me that here is a case where a false representation has been made and by the said representation a cheque leaf, a valuable security received and making use of the same, the above said offences are committed.

6. After considering the fact of the case and also keeping in mind the nature of investigation involved, I feel that this is a case where anticipatory bail can be granted on the following conditions:

1. The petitioner shall appear before the Investigating Officer within 10 days of this order. On such appearance, the Investigating Officer is at liberty to interrogate the petitioner. If the interrogation is not over it can be continued on another day. After interrogation, if the police officer feels that arrest is necessary, he is at liberty to arrest the petitioner. Thereafter, if any recovery is

necessary, that also can be made. Thereafter the petitioner shall be released on bail on executing a bond for Rs.25,000/- with two solvent sureties for the like amount to the satisfaction of the officer concerned.

2. After release on bail, the petitioner shall appear before the Investigating Officer on all Wednesdays and Saturdays in between 9 a.m and 12 noon for a period of two months and thereafter on all Saturdays in between 9 a.m and 12 noon for another one month.

3. The petitioner shall not commit any offence during the bail period.

4. The petitioner shall co-operate with the investigation, if an application under Section 311A of Cr.P.C. is filed, petitioner shall co-operate with the same.

5. The petitioner shall not influence or intimidate the witnesses.

On the above conditions, this anticipatory bail application is allowed.

Sd/-

K.P. JYOTHINDRANATH

JUDGE

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P.A. TO JUDGE