

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

Bail Appl..No. 2218 of 2015

CRIME NO. 296/2015 OF ERNAKULAM CENTRAL POLICE STATION, ERNAKULAM.
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PETITIONER: ACCUSED NOS. 1 & 2:

1. TINO THOMAS,
CEO & MANAGING DIRECTOR,
OASIS HOLIDAYS INDIA PVT. LTD. HAINES ROAD,
FRAZER TOWN, BANGALORE-560005,
(ADDRESS IS WRONGLY SHOWN IN THE FIR
AND THE COMPLAINT AS J.BUILDING,
RAVIPURAM, COCHIN-16).
2. THOMAS CHACKO, AGED 65 YEARS,
DIRECTOR, OASIS HOLIDAYS INDIA PVT. LTD.
HAINES ROAD, FRAZER TOWN, BANGALORE-560005.
(ADDRESS IS WRONGLY SHOWN IN THE FIR
AND THE COMPLAINT AS J.BUILDING,
RAVIPURAM, COCHIN-16).

BY SRI.B.RAMAN PILLAI (SENIOR ADVOCATE)
ADVS.SRI.R.ANIL
SRI.M.SUNILKUMAR
SRI.SUJESH MENON V.B.
SRI.T.ANIL KUMAR
SRI.MANU TOM
SRI.THOMAS ABRAHAM (NILACKAPPILLIL)
SRI.M.VIVEK

RESPONDENT/COMPLAINANT:

STATE,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY SENIOR PUBLIC PROSECUTOR SRI.RASHEED

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

mbr/

K. ABRAHAM MATHEW, J.

B.A. No. 2218 of 2015

Dated this the 12th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No. 296/2015 of Central Police Station, Ernakulam. They have allegedly committed the offences under Sections 405, 418 and 420 read with Section 34 of the Indian Penal Code. They are Directors of a private limited company. The victim availed themselves of the services of the petitioners to visit Vatican. The main allegation is that the petitioners did not give proper service to the victims and thus they committed the offences mentioned above.

3. Heard. It appears that the dispute is essentially a civil one. More over, it is submitted that there is an agreement between the second petitioner and the tourists to the effect that the tourists will be refunded certain amount. Having regard to all these facts, I am inclined to grant the prayer of the petitioners.

In the result, this application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs. 50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) They shall appear before the Investigating Officer for interrogation if they are so required by him in writing.

3) They shall not destroy or tamper with evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

K. ABRAHAM MATHEW
JUDGE

DMR/-