

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

Bail Appl..No. 2484 of 2015

CRIME NO. 117/2015 OF THIRUNELLI POLICE STATION, WAYANAD DISTRICT.

PETITIONER/ACCUSED:

**SURESH T.K, AGED 40 YEARS,
S/O.KUNHIKANNAN, THATTANKANDY HOUSE,
PARSIMUKKU, APPAPPARA, THIRUNELLI P.O,
WAYANADU DISTRICT.**

BY ADV. SRI.MATHEW KURIAKOSE

RESPONDENT/STATE:

**STATE OF KERALA, (CRIME NO.117/2015
OF THIRUNELLI POLICE STATION)
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.2484 of 2015

Dated this the 21st day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioner is alleged to have committed the offence under Section 420 of the Indian Penal Code. The case is that the victim had entrusted to him certain amount for construction of houses for members of Scheduled Tribes under the Indira Awas Yogana Scheme, 2010. But he did not make any construction.

3. Heard.

4. The learned counsel submits that there is no element of cheating in the transaction. Moreover, the petitioner has deposited the entire amount in the accounts of the victims. I think his detention is not necessary for effective investigation.

In the result, this application is allowed.

1) The petitioner shall be released on bail after interrogation on their executing a bond for Rs.Twenty five thousand only with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) The petitioner shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) The petitioner 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.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge