

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

TUESDAY, THE 14TH DAY OF JULY 2015/23RD ASHADHA, 1937

Bail Appl..No. 2569 of 2015 ()

CRIME NO. 61/2015 OF NEDUPUZHA POLICE STATION, THRISSUR DISTRICT.

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PETITIONER/ACCUSED:

VAHEEDHA, AGED 37 YEARS,
W/O.LATE ANWAR, KARAPPAMVEETIL HOUSE,
P.O. VADUKKARA, VADUKKARA DESOM,
KOORKKANCHERY VILLAGE, THRISSUR TALUK,
THRISSUR DISTRICT.

BY ADV. SRI.RAJIT.

RESPONDENT/STATE:

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

BY PUBLIC PROSECUTOR SMT.LISHA M.G.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

SUNIL THOMAS, J.

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B.A.No.2569 of 2015

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Dated this the 14th day of July, 2015

ORDER

The sole accused in Crime No.61 of 2015 of Nedupuzha Police Station who stands indicted for offences punishable under Sections 406 and 420 of the Indian Penal Code r/w Sections 3 and 17 of the Kerala Money Lenders Act, 1958 is the petitioner herein.

2. The allegation of the prosecution is that the petitioner making the complainant believe that she being an employee in a Sangam was authorized to collect money towards the chitty run by the Sangam and collected a sum of Rs.35,000/- from the de facto complainant in seven installments, without remitting it in the Sangam or getting the entries on the passbook. On the basis of the complaint given, crime was registered and police is investigating. Petitioner apprehends arrest and custodial torture and hence, this application.

3. Heard and examined the records

4. The crux of the allegation is that on behalf of the society, she collected the money without depositing it in the Sangam. It appears that pursuant to the complaint, a search was conducted in her house and documents were seized. Whether she had collected money from the de facto complainant in the absence of any other

receipt is to be evidenced by the oral testimony of the de facto complainant. The question whether the corresponding money was deposited in bank will be borne by the records. For the above purpose a custodial interrogation is not warranted. Considering the fact that the petitioner is a women and further fact that at present, there is nothing to show that she is involved in any other crime, I am inclined to grant pre-arrest bail to the applicant, subject to the following conditions:

(i) Applicant shall appear before the Investigating Officer on 23.07.2015 between 9 a.m. and 10 a.m.. She shall offer herself for interrogation. Thereafter, in the event of her arrest, she shall be released on bail on she executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for the like sum each.

(ii) She shall appear before the Investigating Officer as and when called for and shall co-operate with the investigation.

(iii) She shall not in any manner interfere with the investigation, threaten, coerce or intimidate the witnesses.

The application is allowed accordingly.

Sd/-

SUNIL THOMAS
Judge

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