

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

Bail Appl..No. 2767 of 2015

CRIME NO. 1139/2014 OF KONNI POLICE STATION , PATHANAMTITTA

PETITIONER(S)/ACCUSED NOS.1 & 2:

1. MARYKUTTY DANIEL, AGED 81 YEARS,
W/O.LATE T.K.DANIEL, POPULAR TOWERS, VAKAYAR
KONNI, PATHANAMTHITTA DISTRICT.
2. THOMAS DANIEL @ ROY DANIEL, AGED 60 YEARS,
S/O.LATE T.K.DANIEL, POPULAR TOWERS, VAKAYAR,
KONNI, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.K.SHAJ

RESPONDENT(S)/STATE:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.
2. SUB INSPECTOR OF POLICE, KONNY,
PATHANAMTHITTA DISTRICT-689641.
3. SUPERINTENDENT OF POLICE, CBCID,
ECONOMIC WING-I, KOLLAM-691006.

BY PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27-05-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.2767 of 2015

Dated this the 27th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners apprehend that they will be arrested by the police on the allegation that they have committed the offences under Sections 3(2) read with Sections 17 & 18 of the Kerala Money Lenders Act, 1958 and Section 45-S of the Reserve Bank of India Act, 1934. They are partners of a firm by name Popular Finance which has 269 branches. It is alleged that violating provisions in the Reserve Bank of India and the relevant Rules, they received deposits from the public.

3. Heard.

5. The first petitioner is aged 81 years and the second petitioner 60 years. They are partners of the firm which is doing business in financing. The main allegation is that the firm received deposits from the public in violation of the Reserve Bank of India Act and relevant Rules. It appears that custodial interrogation is not necessary for effective investigation.

In the result, this application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.Fifty thousand each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) The second petitioner shall appear before the Investigating Officer for four days consequently after their release on bail.

3) They shall not commit any economic offence while they are on bail.

4) 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.

sd/-

**K. ABRAHAM MATHEW
JUDGE**

R.AV

//True Copy//

PA to Judge

