

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

Bail Appl..No. 3274 of 2015

CRIME NO. 2550/2013 OF EAST KALLADA POLICE STATION , KOLLAM

APPLICANTS/ACCUSED:

1. BINI DAVID, AGED 50 YEARS,
W/O DAVID, KOTTACKAL HOUSE, ELAVUMPARAMBU,
CHELADU P.O., KOTHAMANGALAM.
2. DAVID ANTONY, AGED 56 YEARS,
S/O. ANTONY, KOTTACKAL HOUSE, ELAVUMPARAMBU,
CHELADU P.O., KOTHAMANGALAM.

BY ADV. SRI.THOMAS J.ANAKKALLUNKAL

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KOLLAM EAST POLICE STATION, PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 3274 of 2015

Dated this the 22nd day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners apprehend that they will be arrested by the police in connection with Crime No. 2550 of 2013 of Kollam East Police Station. The prosecution case is that the co-accused were conducting money lending business without any licence or authority in Kerala charging exorbitant rate of interest and the petitioners helped them by creating certain forged documents.

3. Heard.

4. The petitioners have been issued notice under Section 41A of Cr.P.C. by the Investigating Officer. This itself shows that the Investigating Officer has no malicious intention to arrest them; if he is satisfied that their arrest is not necessary, he will not effect their arrest. If their arrest is necessary for effective investigation this Court is not inclined to interfere in it.

With the above observations, this application is disposed of. Submission of the learned counsel is that the petitioners will co-operate with the investigation is recorded.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge