

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

Bail Appl..No. 4202 of 2015 ()

CRIME NO. 1400/2013 OF AMBALAPUZHA POLICE STATION , ALAPPUZHA DISTRICT

PETITIONER/8TH ACCUSED :

**DAVID ANTONY, AGED 56 YEARS,
S/O. THOMA ANTONY, KOTTACKAL VEEDU,
NEAR ST.JUDE CHAPAL, ELAVUMPARAMBIL,
KOTHAMANGALAM VILLAGE, KOTHAMANGALAM TALUK,
ERNAKULAM.**

BY ADV. SRI.THOMAS J.ANAKKALLUNKAL

RESPONDENT/STATE :

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

BY PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-08-2015, ALONG WITH BA.NO. 4203/2015 AND CONNECTED CASES,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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K. ABRAHAM MATHEW, J.
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**B.A.Nos. 4202, 4203, 4204,
4205, 4206, 4207,4208, 4354
4355, 4359, 4806, 4807
4808, 4809 of 2015**

Dated this the 7th day of August, 2015

COMMON ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is said to have committed the offences under Sections 406, 420, 468, 471 and 34 of the Indian Penal Code and Section 3 read with Section 17 of the Kerala Money Lenders Act, 1958 and Sections 4,5 read with Section 76 of Chit Fund Act, 1982. It is alleged by the prosecution that some of the co-accused were conducting money lending business without a licence and they were conducting illegal chitty also. It is also alleged that the foreman of the chitty had made false documents showing that the chitty had registration from Jammu & Kashmir. The case against the petitioner is that it was he who facilitated forgery of the documents.

3. Heard.

4. The petitioner has been in custody since 02.07.2015. It is submitted that he may be released on bail subject to conditions. So, I am inclined to grant the prayer of the petitioner.

In the result, these applications are allowed.

- 1)The petitioner will be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh only)with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.*
- 2) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.*
- 3)He shall surrender his passport before the lower court concerned or if he does not have one, he shall file an affidavit to that effect within five days of his release.*
- 4)He shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 5)He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.*
- 6) He shall co-operate with investigation of the case.*

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

DST

//True copy//

P.A. To Judge