

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

Bail Appl..No. 4495 of 2015 ()

CRIME NO. 181/2015 OF CHERUTHURUTHY POLICE STATION, TRISSUR

PETITIONER/ACCUSED :

**SURESH, AGED 42 YEARS,
S/O.RAMANKUTTY, SREE PUSHKARAM,
THEKECHOLAYIL HOUSE, PANJAL, THRISSUR.**

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT/STATE OF KERALA :

**THE STATE OF KERALA
REP. BY THE SUB INSPECTOR OF POLICE,
CHERUTHURUTHY POLICE STATION,
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 06-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.4495 of 2015

Dated this the 6th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.181 of 2015 of Cheruthuruthy police station. He is accused of having committed the offences under Sections 3, 4, and 17 of the Kerala Money Lenders Act and Section 420 of the Indian penal Code.

3. The prosecution case is that he was conducting money lending business without any licence and he cheated the first informant who had borrowed a certain amount from him.

4. Heard.

5. Admittedly, the first informant executed an agreement for sale of his property in favour of the second accused who is not a petitioner in this bail application. It is stated that the agreement for sale was executed as a security for the amount the first informant borrowed from the petitioner. At this stage it may not be possible to

ascertain the true nature of the transaction. So I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

1. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum if he is arrested by the police in connection with this case.

2. He shall appear before the investigating officer between 10 a.m to 11 a.m every alternate Wednesday for three months or till the final report is filed whichever is earlier.

3. He shall not get himself involved in any other criminal case while he is on bail.

4. He shall not intimidate or attempt to influence the witnesses.

5. He shall not destroy or tamper with the evidence.

6. He shall surrender his passport before the lower court concerned of if he does not have one, he shall file an affidavit to that effect within five days of his release.

7. He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law.

If the petitioner surrenders before the Magistrate this order is not applicable and the learned magistrate may pass appropriate orders.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge