

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

Bail Appl..No. 4731 of 2015 ()

CRIME NO. 1049/2015 OF PALAKKAD TOWN NORTH POLICE STATION.

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PETITIONER/ACCUSED:

**M. HARI, S/O.MARI, AGED 38 YEARS,
MARI NIVAS, THIRUPURAKKAL NAGAR,
MOTHANTHARA, VADAKKANTHARA P.O.,
PALAKKAD.**

**BY ADVS.SRI.BINOY VASUDEVAN,
SMT.P.G.BABITHA.**

RESPONDENTS/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE STATION HOUSE OFFICER,
TOWN NORTH POLICE STATION,
PALAKKAD-678 101.**

BY PUBLIC PROSECUTOR SRI.C. RASHEED.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

B.A. No.4731 of 2015

Dated this the 11th day of August 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.1049 of 2015 of Palakkad Town North Police station registered for the offences under Sec.17 of the Kerala Money Lenders Act and Sec.3 read with Sec.9 of the Kerala Prohibition of Charging Exorbitant Interest Act. The prosecution case is that the first informant borrowed from the petitioner Rs.5,00,000/- (Rupees five lakh only) and though the former paid back Rs.7,50,000/- (Rupees seven lakh and fifty thousand only), he filed a complaint against the first informant on the basis of a signed blank cheque which he had entrusted as a security.

3. Heard both sides.

4. The petitioner has filed a complaint on the dishonoured cheque against the first informant. There is no allegation that the petitioner is involved in any other transaction.

Having regard to these facts, I am inclined to

grant the prayer of the petitioner.

In the result, the bail application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. between 10.00 a.m. and 11.00 a.m. every 1st and 2nd Saturdays for three months or till the final report is filed, whichever is earlier..

3) He shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

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

5) He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

6) He shall not intimidate or attempt to influence the witnesses.

7) 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.

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

/ True Copy /

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P.A. To Judge