

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

Bail Appl..No. 5273 of 2015

CRIME NO. 1531/2014 OF PUTHUR POLICE STATION, KOLLAM DISTRICT.
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PETITIONER/ACCUSED:

P.K.CHANDRIKA, 60 YEARS,
SHEETHALATH BHAVAN, CHERUMANGADU,
PUTHUR, KOLLAM.

BY ADV. SRI.SYAM J SAM

RESPONDENT/COMPLAINANT:

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

*ADDL. R2 IMPEADED

2. SARASWATHY, AGED 65 YEARS, D/O.LAKSHMY,
ALAPPATTU VEEDU, KARICKAL, PUTHOOR VILLAGE,
KOTTARAKARA THALUK, KOLLAM DISTRICT.

R2 IS IMPEADED AS PER ORDER DATED 15.09.2015
IN CRL.M.A.9046/2015 IN BA.5273/2015.

R1 BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA
ADDL.R2 BY ADV. SRI.K.V.ANIL KUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

mbr/

A.HARIPRASAD, J.

B.A No.5273 of 2015

Dated this the 15th day of September, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1531 of 2014 of Puthur Police Station registered for an offence punishable under Section 420 I.P.C. A private complaint was filed by the defacto complainant before the learned Magistrate having jurisdiction which was forwarded under Section 156(3) Cr.P.C.

3. Prosecution case, in short, is that the petitioner in the guise of conducting a money lending business received deposits from various persons and she failed to return money in spite of demand. Further, cheque issued by her was dishonoured when presented for encashment. According to the defacto complainant, others also have filed complaints against the petitioner.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Learned counsel for the petitioner submitted that she is a licensed money lender. Due to financial stringency, she could not return the amounts to some of her customers. Considering the nature of allegations, I am of the view that no custodial interrogation is necessary . Hence, following directions are issued :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit herself for interrogation. Thereafter, she shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency.

3. The petitioner shall appear before the Investigating Officer as and when directed.
4. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

amk

Sd/-
A.HARIPRASAD,
JUDGE.
//True copy//

P.A to Judge