

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

Bail Appl..No. 5319 of 2015

CRIME NO. 546/2015 OF KARIPUR POLICE STATION , MALAPPURAM

PETITIONER(S)/ACCUSED:

**LAKHMI, AGED 35 YEARS,
D/O.SANKARAN, MAILKUNNU HOUSE, CHIRAYIL P.O.,
KOOTTALUNGAL, MALAPPURAM DISTRICT.**

BY ADV. SRI.K.RAKESH

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682031.**
- 2. THE SUB INSPECTOR OF POLICE,
KARIPPUR POLICE STATION, MALAPPURAM DISTRICT,
PIN 676505.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A.No.5319 of 2015

Dated this the 7th day of September, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.546 of 2015 of Karipur Police Station registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. Prosecution case is that on 15.07.2014, the *de facto* complainant joined a chitty run by the petitioner. He paid an amount of ₹60,000/- towards the chitty. The petitioner refused to give money even after prizing the chitty.

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

5. Learned counsel for the petitioner submitted that the petitioner is an Anganwadi helper. Accordig to him, the petitioner never conducted any chitty and she functioned only as a collection agent.

6. Considering the nature of allegations, I find that

custodial interrogation may not be necessary in this case. Hence, I am inclined to grant anticipatory bail to the petitioner with the following conditions:

(a) Petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit herself for interrogation. Thereafter, she shall be released on bail on executing a bond for ₹25,000/- (Rupees Twenty Five Thousand Only) with two solvent sureties for the like sum to the satisfaction of the Investigating Officer.

(b) The petitioner shall appear before the Investigating Officer as and when required for the purpose of interrogation.

(c) The petitioner shall co-operate with the investigation of the case.

(d) The petitioner shall not intimidate or influence the witnesses or meddle with the investigation in any manner.

(e) Petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge