

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

Bail Appl..No. 5520 of 2015 ()

**CRIME NO. 377/2015 OF MEENANGADI POLICE STATION,
WAYANAD DISTRICT**

PETITIONER/ACCUSED :

**SATHYAPRAKASH K.P., AGED 38 YEARS,
KAREPARAMBIL HOUSE, NENMENI P.O.,
SULTHAN BATHERY-673592.**

**BY ADVS.SRI.TONY THOMAS (INCHIPARAMBIL)
SRI.P.THOMAS GEEVERGHESE**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM
REPRESENTING THE S.I. OF POLICE,
MEENANGADI POLICE STATION, WAYANAD DISTRICT.**

BY PUBLIC PROSECUTOR SRI. REJI JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

RAJA VIJAYARAGHAVAN.V. J

B.A.5520 of 2015

Dated 14th October, 2015

ORDER

- 1.This is an application for anticipatory bail filed u/s 438 of the Code of Criminal Procedure.
- 2.The petitioner is the sole accused in crime No.377 of 2015 of Meenagadi police station, Wayanad district. The said crime was registered for offence punishable u/s 409, 418, 468 and 471 of the IPC.
- 3.The allegation against the petitioner is that while he was working as Postal Assistant in the Meenagadi post office, he has mismanaged the deposits tendered by the public in various savings schemes. The petitioner after accepting the deposits in the recurring deposit accounts from Mahila Pradan agents, created bogus withdrawal forms of the account holders and

clandestinely withdrew the money. It is also alleged that the petitioner had withdrawn a sum of Rs.1,10,000/- from the RD account No. of one K.Rajan on 29.3.2014 without the knowledge of the account holder by forging the signature and utilized the amount for his own personal purpose.

4.I have heard the learned counsel for the petitioner as well as the learned Public Prosecutor.

5.The learned counsel for the petitioner has submitted that it was inconceivable to believe the prosecution version that the petitioner mismanaged and forged the signature of the account holder. According to the learned counsel, the complainant has concocted the story with a view to implicate the petitioner in a false crime.

6.Per contra, the learned Public Prosecutor, on the basis

of materials in the case diary has submitted that the allegations levelled against the petitioner is very serious and he has fraudulently withdrawn money from the account of various subscribers and has utilized the same for his own personal purpose.

7. After having considered the rival submissions and the materials on record, I am of the considered view that the petitioner has not made out a case for grant of pre-arrest bail.

The Bail application is dismissed

Sd/-
RAJA VIJAYARAGHAVAN.V.
Judge

MrCS

//True copy//

P.S. To Judge