

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

Bail Appl..No. 5822 of 2015 ()

CRIME NO. 1924/2014 OF ERNAKULAM TOWN NORTH POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED NO 8 :

**SACHIN BALAKRISHNA
AGED 28 YEARS, S/O. BALAKRISHNAN,
CHITHIRA, P.O KALPATHUR
MEPPAYUR, KOZHIKODE - 673 524.**

BY ADV. SRI.A.D.RAVEENDRA PRASAD

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. ASSISTANT COMMISSIONER OF POLICE,
SPECIAL INVESTIGATION TEAM
KADAVANTHRA POLICE STATION, COCHIN CITY
COCHIN - 682 026.**
- 3. ADDITIONAL SUB INSPECTOR OF POLICE
ERNAKULAM TOWN NORTH POLICE STATION
ERNAKULAM NORTH P.O., COCHIN - 682 018.**

R1 TO R3 BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28-09-2015,
ALONG WITH BA NO. 5824/2015 & BA NO. 5825/2015, THE COURT ON THE
SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.Nos.5822, 5824 & 5825 of 2015

Dated this the 28th day of September, 2015

O R D E R

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

2. Accused person is involved in three crimes bearing Nos.1924 of 2014, 1999 of 2014 and 2056 of 2014 of 2015 of Ernakulam Town North Police Station.

3. The allegations in the complaint are almost identical. It is alleged that the petitioner along with other persons with an intention to cheat the *de facto* complainants in various cases and other customers of M/s. Artic Jewellery and Diamonds Pvt. Limited received various amounts to be deposited in the gold purchase scheme and thereafter, made defaults in returning either any gold or cash.

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

5. Learned counsel for the petitioner contended that petitioner was a paid Manager of the Company in the

Facilities department.

6. Learned Public Prosecutor opposed this submission contending that from 06.01.2011 onwards he was a Director in the Company.

7. Learned counsel for the petitioner submitted that all the relatives of deceased Managing Director have been impleaded in this case as accused and they are unnecessarily victimized in this case. He submitted that the petitioner is not a Director at present.

8. Considering the nature of the allegations, I am inclined to grant 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 himself for interrogation. Thereafter, he shall be released on bail on his executing a bond for ₹50,000/- (Rupees fifty 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 attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) 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

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P.A to Judge