

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

Bail Appl..No. 5926 of 2015 ()

CRIME NO. 1687/2015 OF CHALAKKUDI POLICE STATION, THRISSUR DISTRICT.

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APPLICANTS/ACCUSED NOS. 1 TO 4 & 6:

- 1. K.J. URUMESE, AGED 76 YEARS,
S/O.K.V. JOSEPH, PRESIDENT,
PARIYARAM SERVICE CO-OPERATIVE BANK LTD., PARIYARAM.**
- 2. M.S. RADHAMANI, AGED 56 YEARS,
W/O.SUNDARAM, SECRETARY,
PARIYARAM SERVICE CO-OPERATIVE BANK LTD., PARIYARAM.**
- 3. T.A. THOMAS, AGED 55 YEARS,
S/O. ANTONY, MANAGER,
PARIYARAM SERVICE CO-OPERATIVE BANK LTD., PARIYARAM.**
- 4. DAVIES A.K., AGED 60 YEARS,
S/O.KUNHAVARA, ACHADAN HOUSE,
KONNAKUZHI, THRISSUR DISTRICT.**
- 5. M.V. DENNY, AGED 46 YEARS,
S/O.VAREED, ASSISTANT MANAGER,
PARIYARAM SERVICE CO-OPERATIVE BANK LTD., PARIYARAM.**

**BY SRI.P.VIJAYA BHANU, SENIOR ADVOCATE.
ADVS. SRI.THOMAS J.ANAKKALLUNKAL,
SRI.VIPIN NARAYAN.**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A. HARIPRASAD, J.

Bail Appl. No.5926 of 2015

Dated this the 6th day of October 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos.1 to 4 and 6 in Crime No.1687 of 2015 of Chalakkudy Police station registered for the offence punishable under Sec.406 of the Indian Penal Code.

3. Heard the learned senior counsel appearing for the petitioners and the learned Public Prosecutor.

4. Learned Public Prosecutor submitted that the 5th petitioner is not an accused in this case and hence, his application for bail does not deserve to be considered.

5. The defacto complainant is the Managing Director of Meat Products India, a public sector undertaking. The land belonging to the public sector undertaking was handed over to the Pariyaram Service Co-operative Bank Ltd. for agricultural operations. The weed clearing and removal of wild growth were done on a day before 28.07.2015 without obtaining permission to do

so is the allegation.

6. Learned Public Prosecutor contended that the accused persons violated the agreement between the Co-operative Bank and the Meat Products India Ltd. and committed the aforesaid offence.

Considering the nature of offence, I am inclined to think that custodial interrogation of the petitioners is not necessary for effective investigation. In the result, the bail application is allowed.

1. The petitioners shall surrender before the investigating officer within a period of two weeks and submit themselves for interrogation.

2. In the event of arrest, the petitioners shall be released on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioners shall appear before

the Investigating Officer for interrogation as and when directed to do so in writing.

4. The petitioners shall co-operate with investigation of the case.

5. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/06/10/2015

P.A. To Judge