

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

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

Bail Appl..No. 6192 of 2015 ()

CRIME NO. 804/2015 OF MARADU POLICE STATION, ERNAKULAM DISTRICT

PETITIONER/3RD ACCUSED :

**VIJOY A.V.,
S/O. VENU, ALLAPARAMIL, CHERAI
PALLIPURAM VILLAGE, ERNAKULAM – 683514.**

**BY ADVS.SRI.K.M.FIROZ
SRI.NIDHI BALACHANDRAN**

RESPONDENTS/STATE & COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. SUB INSPECTOR OF POLICE,
MARADU POLICE STATION, ERNAKULAM-682 017.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14-10-2015,
ALONG WITH BA NO. 6193/2015 & CONNECTED CASES, THE COURT ON THE
SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

**B.A. Nos.6192, 6193, 6194, 6195, 6196,
6197, 6198, 6199, 6200 and 6201 of 2015**

Dated this the 14th day of October, 2015

COMMON ORDER

PetitionS under Section 438 of the Code of Criminal
Procedure.

2. Petitioner who is the accused in Crime Nos.804, 786, 787, 788, 789, 790, 805, 806, 813 and 838, of 2015 of Maradu Police Station registered for offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code seeks pre-arrest bail .

3. It is alleged that the petitioner while working as an employee of Amruthasree Chitties, induced certain persons to join chitty funds. Later the subscribers could not realise money as the firm was closed down. First accused is the owner of the firm who is in custody now. Petitioner pleads innocence.

4. Heard both sides.

5. Learned counsel for the petitioner produced bail order passed by this Court in B.A.No.5843 of 2015 on 29.09.2015 wherein the petitioner was directed to surrender before the investigating officer and submit for interrogation. Thereafter he was directed to release on bail.

Considering the nature of allegations and the facts and circumstances, I am not inclined to think that custodial interrogation is necessary. Hence the following order:

i. Petitioner shall surrender before the investigating officer within a period of one week and submit himself for interrogation. Thereafter he shall execute a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer. In that event, he shall be released on bail in the above said crimes of Maradu Police Station.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. Petitioner shall appear before the Investigating Officer as and when directed in writing and co-operate with the investigation in the matter.

iv. He shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the officer concerned is free to arrest the petitioner as if no order is passed.

A. HARIPRASAD, JUDGE.

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