IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 6311 of 2015 ()

CRIME NO. 1606/2014 OF KADAVANTHRA POLICE STATION,
ERNAKULAM DISTRICT

PETITIONER :

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

BY ADV. SRI.A.D.RAVINDRA PRASAD

RESPONDENTS :

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

2. THE ASSISTANT COMMISSIONER OF POLICE,
   SPECIAL INVESTIGATION TEAM,
   KADAVANTHRA POLICE STATION, COCHIN-682 026.

3. THE SUB INSPECTOR OF POLICE
   KADAVANTHRA POLICE STATION, KADAVANTHRA, COCHIN-20.

BY ADDL. DGP. SRI. K.I. ABDUL RASHEED

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-10-2015, ALONG WITH BA. 6320/2015 & CONNECTED
CASES THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

bp

A.HARIPRASAD, J.

B.A Nos.6311, 6320, 6326, 6327 and 6335 of 2015

Dated this the 15th day of October, 2015.

C O M M O N O R D E R

Applications for pre-arrest bail under Section 438 Cr.P.C. Petitioner is the same in all the petitions.

2. Petitioner is the accused in various crimes registered by various Police Stations.

3. Common allegations is that the petitioner along with other accused with an intention to cheat the defacto complainants in various cases and other customers of M/s Artic Jewellery and Diamonds Private Limited received various amounts to be deposited in the gold purchase scheme and thereafter, made defaults in returning either gold or cash.

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

5. Learned Additional Director General of Prosecution submitted that in respect of this incident, altogether 19 cases

have been registered. The money involved in the crime is estimated to be Rs.24 Crores. Learned counsel for the petitioner submitted that the petitioner is not made accused in all the cases. He was the Director of the Company only for a short period. However, the accounts of the company maintained by the South Indian Bank Limited is produced for my scrutiny. It shows that the petitioner had withdrawn money from the account of the company periodically, which according to the prosecution will amount siphoning off money from the company. It is true that as per Annexure A1 order, the petitioner were released on pre-arrest bail in three cases. Considering the number of cases registered against the petitioner and the requirement of interrogation in the matter to find out the gravity of the offence, following directions are issued :

The petitioner shall surrender before the Investigating Officer within a period of one *week from today and submit himself for interrogation. Thereafter, he shall be produced before the learned Magistrate having jurisdiction on the same day. The petitioner is free to move for regular bail before the court below. In that event, the application shall be considered on merits as expeditiously as possible. If petitioner does not surrender in the stipulated time, the Investigating Officer is free to arrest him as if no order is passed in this matter.*

Sd/-
A.HARIPRASAD,
JUDGE.
//True copy//

P.A to Judge

amk