

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. 6319 of 2015

**CRIME NO. 1162/2015 OF PERINTHALMANNA POLICE STATION,
MALAPPURAM DISTRICT.**
.....

PETITIONER/ACCUSED NO.2:

**RAJINA RAFEEK,
C/O. CHANTHAM YOUSUFF,
AGED 23 YEARS, NEAR RAILWAY GATE,
CHERUKARA, PERINTHALMANNA,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.C.K.SREEJITH
SRI.BENNY JOSE**

RESPONDENT/COMPLAINANT:

**THE STATE OF KERALA,
THROUGH STATION HOUSE OFFICER,
PERINTHALMANNA POLICE STATION,
MALAPPURAM DIST.,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.T..Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.6319 of 2015

Dated this the 15th day of October, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner who is the second accused in Crime No.1162 of 2015 of Perinthalmanna Police Station registered for offences punishable under Section 420 read with Section 34 of the Indian Penal Code seeks pre-arrest bail.

3. Allegation is that as managing director of a private limited company, the accused published an advertisement offering jobs and promised to give profit if the defacto complainant took shares.

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

5. Learned counsel for the petitioner submitted that the dispute is in the nature of a civil dispute.

Considering the nature of allegations, following directions are issued:

Petitioner shall surrender before the investigating officer within

a period of one week and submit himself for interrogation. Thereafter, the investigating officer shall produce him before the Magistrate having jurisdiction on the date of surrender itself. In that event, he is free to move for bail and the learned Magistrate shall consider the application on merits as expeditiously as possible, if possible on the date of production itself. If petitioner does not surrender before the investigating officer within the said time, the investigating officer is free to arrest him, as if no order is passed in this case.

Application is disposed of.

A. HARIPRASAD, JUDGE.

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