

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

Bail Appl..No. 6519 of 2015

CRIME NO. 330/2015 OF VAGAMON POLICE STATION, IDUKKI
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PETITIONER(S)/ACCUSED:

**ALBERT,
AGED 61 YEARS, S/O.GILBERT, 12TH DIVISION LAYAM,
M.M.G ESTATE, BONAMY KARA, ELAPPARA,
IDUKKI DISTRICT.**

**BY ADVS.SRI.T.A.UNNIKRISHNAN
SRI.K.K.AKHIL**

RESPONDENT(S)/COMPLAINANT:

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

BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
16-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD, J.

B.A. No.6519 of 2015

Dated this the 16th day of November, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Accused in Wagamon Police Station Crime No.330 of 2015 alleging offences punishable under Section 17 of the Kerala Money Lenders Act and Section 4 of the Kerala prohibition of Charging of Exorbitant Interest Act, 2012 seeks pre-arrest bail.

3. Allegation is that in a raid conducted suo motu by the officers in the premises of the petitioner, documents evidencing unauthorised advancement of money were recovered.

4. Heard both sides.

Considering the nature of allegations, I do not find any necessity to have a custodial interrogation in this case. Hence the following directions:

i. Petitioner shall surrender before the investigating officer within a period of two weeks 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 Crime No.330 of 2015 of Wagamon Police Station.

ii. The sureties shall produce documents to establish their identity and solvency. The investigating officer shall not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

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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