

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

Bail Appl..No. 6531 of 2015 ()

**CRIME NO. 949/2015 OF PONNANI POLICE STATION,
MALAPPURAM DISTRICT**

PETITIONER/ACCUSED :

**K.K.VASUDEVAN, AGED 55 YEARS,
S/O. KRISHNAN, KAITHAKKAL HOUSE, KANDANASSERY
CHAVAKKAD TALUK, THRISSUR DISTRICT**

BY ADV. SRI.RAJIT

RESPONDENT :

**STATE OF KERALA
REP BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.6531 of 2015

Dated this the 18th day of November, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Second accused in Crime No.949 of 2015 of Ponnani Police Station registered alleging offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code is the petitioner. He seeks pre-arrest bail. He was the managing director of Veejika Chit Funds, a limited company.

3. Prosecution case is that the defacto complainant subscribed to a chit conducted by the company on 13.12.2012 having a total sala of ₹50,000/-. In spite of remitting all the instalments, the chit money was not paid is the allegation.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner resigned from the post of managing director of the company with effect from 20.11.2012. Annexure-A is Form 32 submitted before the Registrar of Companies indicating that he resigned from the company with effect from 20.11.2012.

Considering the entire matters, I am of the view that custodial

interrogation of the petitioner is not necessary in this case. Hence the following order:

i. In the event of arrest in Crime No.949 of 2015 of Ponnani Police Station, petitioner shall be released on bail on his executing 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.

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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