

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937

Bail Appl..No. 6546 of 2015

**CRIME NO. 1940/2015 OF THRISSUR TOWN WEST POLICE STATION,
THRISSUR DISTRICT.**
.....

PETITIONER(S):

1. DAVI V. THATTIL, AGED 67 YEARS,
S/O.VARGHEES, THATTIL PIDIYATH HOUSE,
CHELAKKOTTUKKARA, KURIACHIRA P.O, THRISSUR
2. WILSON, S/O.OUSEPH, AGED 69 YEARS,
MANAVALAN (H), PULLAZHY P.O, THRISSUR DISTRICT.
3. KRISHNAN, S/O.NARAYANAN NAIR, AGED 75 YEARS,
NANGEELIVELLALATH (H), OLARIKKARA,
THRISSUR DISTRICT.
4. SELINA, AGED 65 YEARS, W/O.LATE PAUL,
THATTIL PIDIYATH HOUSE, S.N PARK,
THRISSUR - 680004.
5. SULOCHANA, W/O.GOPALAN, AGED 64 YEARS,
NANGEELIVELLALATH (H), PUTHURKKARA,
AYYANTHOLE P.O, THRISSUR.

**BY ADVS.SRI.LINDONS C.DAVIS
SMT.E.U.DHANYA**

RESPONDENT(S):

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. No.6546 of 2015

Dated this the 26th day of October 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos.3 to 5, 7 and 8 in Crime No.1940 of 2015 of Thrissur Town West Police station registered for the offences punishable under Secs.406 and 420 read with Sec.34 of the Indian Penal Code. Prosecution case in short is that, the petitioners, as Directors of a company conducting kuries committed the offence of cheating of the subscribers.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. Learned counsel for the petitioners submitted that none of the petitioners was a Director at the time when the complaint was filed. They were previous Directors.

5. Learned Public Prosecutor opposed the bail application contending that the misappropriation was over a period from 2004 to 2015.

Considering the nature of allegations, I do not think that a custodial interrogation of the petitioners is necessary. Hence, I am inclined to grant the prayer of the petitioners.

In the result, the bail application is allowed.

1. The petitioners shall surrender before the investigating officer within a period of one week and submit themselves for interrogation.

2. In the event of arrest, the petitioners shall be released on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioners shall appear before the Investigating Officer as and when directed by him in writing.

4. The petitioners shall co-operate with the investigation of the case.

5. The petitioners shall not intimidate or

attempt to influence the witnesses, nor shall they tamper with the evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/26/10/2015

P.A. To Judge