

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 30TH DAY OF NOVEMBER 2015/9TH AGRAHAYANA, 1937Q

Bail Appl..No. 6661 of 2015 ()

CRIME NO. 1486/2015 OF GURUVAYOOR POLICE STATION, THRISSUR DISTRICT.

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PETITIONER/ACCUSED:

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T. SREENIVAS, AGED 45 YEARS,  
S/O. S. THIRUMOORTHY CHETTIYAR, 1/43,  
KANNAPPAN NAGAR, THIPPANPATTY PANCHAYATH,  
POLLACHY, TAMIL NADU.

BY ADVS.SRI.S.RAJEEV,  
SRI.K.K.DHEERENDRAKRISHNAN,  
SRI.V.VINAY.

RESPONDENTS/STATE:

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1. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-682 031,  
(CRIME NO.1486/2015 OF GURUVAYOOR POLICE STATION,  
THRISSUR DISTRICT.)

2. STATION HOUSE OFFICER,  
GURUVAYOOR POLICE STATION,  
THRISSUR DISTRICT-680 101.

\* ADDL. R3 IMPEADED

3. SHINOS, AGED 29, S/O.V.K. RAZAK,  
KURIALINGAL HOUSE, P.O. THAIKKAD,  
GURUVAYOOR.

\* ADDL. R3 IS IMPEADED AS PER ORDER DATED 30/11/2015 IN  
CRL.MA. NO.10367/2015.

R1 & R2 BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.  
ADDL. R3 BY ADVS. SRI.NAGARAJ NARAYANAN,  
SRI.SAIJO HASSAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 30-11-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

rs.

**A.HARIPRASAD, J.**

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**B.A. No.6661 of 2015**  
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**Dated this the 30<sup>th</sup> day of November, 2015**

**ORDER**

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the sole accused in Crime No.1486 of 2015 of Guruvayoor Police Station registered for offences punishable under Sections 403, 405, 406 and 420 I.P.C.

3. Heard the learned counsel for the petitioner, learned counsel for the defacto complainant and the learned Public Prosecutor.

4. It is the allegation that the petitioner had business relationship with the defacto complainant in respect of supplying cattle for butchering. It is alleged that Rs.20 lakhs advanced by the defacto complainant was not returned and he failed to supply cattle as promised.

5. The dispute appears to be predominantly of a civil nature. However, the root of the matter could be unearthed only on a proper investigation. Considering the nature of allegations, following

directions are made :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, he shall be released on bail on executing a bond for Rs.25,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency. The Investigating Officer need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

amk

**Sd/-**  
**A.HARIPRASAD,**  
**JUDGE.**

//True copy//

P A to Judge