

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

Bail Appl..No. 6647 of 2014 ()

CRIME NO. 1417/2014 OF NORTH PARUR POLICE STATION, ERNAKULAM DIST.

.....

PETITIONER/ACCUSED:

**SURESH, VADAKEERAVOOR HOUSE,
KEZHAKPRAM, NORTH PARUR,
ERNAKULAM DISTRICT, PIN-683 513.**

**BY ADVS.SRI.ASHIK K.MOHAMMED ALI,
SMT.SAJNA T.UMMER.**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
NORTH PARUR POLICE STATION, ERNAKULAM DISTRICT,
(THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM).**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B.SUDHEENDRA KUMAR, J.

.....
B.A.No. 6647 of 2014
.....

Dated this the 26th day of June, 2015

ORDER

The petitioner is the sole accused in Crime No.1417 of 2014 of North Parur Police Station registered under Sections 13 and 17 of the Kerala Money Lenders Act and Sections 7 and 8 of the Exorbitant Interest Act.

2. The petitioner has filed this application under Section 438 of the Code of Criminal Procedure.

3. Heard.

4. The learned Public Prosecutor has opposed the application. It has been submitted by the learned counsel for the petitioner that the matter has been already settled between the parties and CrI.M.C.No.4433 of 2014 had been filed before this Court for quashing the FIR and further proceedings in the above crime. It has been submitted by the learned Public Prosecutor that the petitioner is not involved in any other offence of similar nature. Considering the facts and circumstances of the case, including the fact that the petitioner is a first time offender and also taking into consideration of the fact that the matter has been already settled between the parties, I am of the view that an order under Section 438 Cr.P.C. in favour of the petitioner will be justified in this case.

5. In the result, this application stands allowed and it is directed that the petitioner shall be released on bail in the event of his arrest in connection with Crime No.1417 of 2014 of North Parur Police Station on condition of the petitioner executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties, each for the like sum to the satisfaction of the Sub Inspector of Police, North Parur Police Station before whom the petitioner shall surrender within ten days from today and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer as and when required by the Investigating Officer for interrogation.
2. The petitioner shall not intimidate or influence the witnesses or in any way tamper with the investigation.
3. The petitioner shall not get involved in any offence while on bail.

Sd/-
B.SUDHEENDRA KUMAR
JUDGE

AMV/26/06/

/TRUE COPY/

P.A.TO JUDGE