

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

Bail Appl..No. 7146 of 2015

CRIME NO. 604/2014 OF MARARIKULAM POLICE STATION, ALAPPUZHA DISTRICT.
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PETITIONER:

**D.MURALI (RTD. PRINCIPAL),AGED 58 YEARS,
S/O. DHAWANDARAN, PADMALAYAM,
CHERTHALA THEKKU VILLAGE, CHERTHALA,
ALAPPUZHA.**

**BY ADVS.SRI.VAKKOM N.VIJAYAN
SMT.V.RENJU
SRI.P.ANIYAN**

RESPONDENT/COMPLAINANT:

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

BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A No.7146 of 2015

Dated this the 19th day of November, 2015.

ORDER

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

2. Petitioner is the second accused in Crime No.604 of 2014 of Mararikulam Police Station registered for offences punishable under Sections 408, 409, 465, 468, 471, 420 and 109 r/w Section 34 I.P.C.

3. Prosecution case, in short, is that the petitioner functioned as the Secretary of the Staff Co-operative Bank, S.N College, Cherthala. The defacto complainant deposited a total amount of Rs.35 Lakhs in the above said bank for a period from 2009 to 2013. When the defacto complainant wanted to withdraw money, the first accused did not repay the amount. It is alleged that the accused persons misappropriated the amount deposited in the bank.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Learned counsel for the petitioner submitted that the

petitioner is a retired Principal of the College. There is an owner and secretary looking after the affairs of the society. Considering the nature of allegations and the antecedents of the petitioner, bail is granted to the petitioner with following directions :

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 twenty five 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. 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.

Sd/-
A.HARIPRASAD,
JUDGE.