

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

Bail Appl..No. 7293 of 2015 ()

CRIME NO. 700/2015 OF KONGAD POLICE STATION, PALAKKAD DISTRICT

PETITIONERS/ACCUSED NOS. 1 AND 2 :

1. VARADARAJ
AGED 65 YEARS, S/O. VENKITACHALAM REGURAM,
12/208, 'GOKULAM'
POOTHANOOR, 9TH MILE, MUNDUR
PALAKKAD DISTRICT.

2. SAVITHRY
AGED 48 YEARS, W/O. VARADARAJ,
12/208, 'GOKULAM'
POOTHANOOR, 9TH MILE, MUNDUR
PALAKKAD DISTRICT.

BY ADV. SRI.NIREESH MATHEW

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.7293 of 2015

Dated this the 3rd day of December 2015

ORDER

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

2. Petitioners are accused nos.1 and 2 in Crime No.700 of 2015 of Kongad Police station registered for the offence punishable under Sec.409 read with Sec.34 of the Indian Penal Code. The case arise out of a private complaint forwarded for investigation under Sec.156(3) Cr.P.C. Gist of prosecution allegation is that, the accused persons received an amount of Rs.50 lakhs from the defacto complainant promising to arrange a loan of Rs.50 Crores for the development of an educational institution of a trust of which, the defacto complainant is the chairman.

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

4. I have perused the case diary and the materials therein. Considering the nature of allegations, I

am of the view that this is only a dispute in a civil nature and custodial interrogation of the petitioners is not required. Hence, following directions are issued.

1. The petitioners shall surrender before the investigating officer within a period of two weeks 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 for interrogation as and when directed by him in writing.

4. 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/03/12/2015

P.A. To Judge