

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937**

**Bail Appl..No. 7294 of 2015 ()**  
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**CRIME NO. 1097/2015 OF VADAKARA POLICE STATION, KOZHIKODE**  
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**PETITIONER/ACCUSED :**  
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**RAJEESJ KUMAR C.P., AGED 29 YEARS  
S/O.RAMACHANDRAN NAMBIAR, CHANGARAMBALATH HOUSE  
NIRMALLOOR, PANANGADU, BALUSSERY.**

**BY ADVS.SRI.A.RAJASIMHAN  
SRI.K.NIRMALAN**

**RESPONDENT/STATE :**  
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**STATE OF KERALA  
THROUGH THE SUB INSPECTOR OF POLICE  
VADAKARA POLICE STATION, KOZHIKODE  
REPRESENTED BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SMT. R. REMA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24-11-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**Mn**

**A.HARIPRASAD, J.**

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**B.A No.7294 of 2015**  
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**Dated this the 24<sup>th</sup> day of November, 2015.**

**ORDER**

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

2. Petitioner is the accused in Crime No.1097 of 2015 of Vadakara Police Station registered for offences punishable under Sections 406 and 420 I.P.C and Section 76 of the Chits Fund Act. Petitioner is the Managing Director of Sree Janatha Akshaya Chits Private Limited, Calicut. The chit fund is having 23 branches all over Kerala.

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

4. It is alleged that the accused conducted chitty in which the defact complainant was a subscriber. It is further alleged that in spite of paying the full amount, company did not pay back his money.

5. Learned counsel for the petitioner relying on Annexures A1 and A2 contended that the petitioner was in custody in

connection with almost similar allegation and he was released on regular bail in two cases. According to him, these are false cases filed against him and no custodial interrogation is necessary. Learned Public Prosecutor opposed the bail application contending that he is involved in series of cases. Considering the nature of allegations, I find that bail can be 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.50,000/- (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 Petitioner shall appear before the Investigating Officer on alternate Sundays starting from 29-11-2015 between 10.00 and 11.00 a.m until final report is filed.
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.**

amk

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P A to Judge