

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 30TH DAY OF JULY 2015/8TH SRAVANA, 1937

Bail Appl..No. 7336 of 2014

CRIME NO. 421/2014 OF BINANIPURAM POLICE STATION, ERNAKULAM DISTRICT.

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PETITIONERS/ACCUSED NOS.1 TO 2:

- 1. SATHISH VARMA, AGED 35 YEARS,
302, INDUSTRIAL ESTATE, SAHA,
AMBALA, HARYANA.**
- 2. SIDHANTH VARMA, AGED 58 YEARS,
BAVA STEEL COMPANY,
AMBALA INDUSTRIAL ESTATE, HARYANA.**

BY ADV. SRI.GEORGIE SIMON

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
(S.I. OF POLICE, BINANIPURAM POLICE STATION)
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.7336 of 2014

Dated this the 30th day of July 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.421 of 2014 of Binanipuram Police station registered for the offences under Secs.406 and 420 read with Sec.34 of the Indian Penal Code. They run a business by name Mechanical Systems. They entered into an agreement with the 1st informant for installation of a Drinking Water Processing Plant. They made a misrepresentation that Bava Steel Industries is their sister concern and mislead the first informant into executing documents in the name of Bava Steel Industries. They received about Rs.87 lakhs from the first informant. But they did not complete the installation. Moreover it was in such a condition that the first informant could not have used the machinery for production. Later it was realised that Bava Steel Industries was not a running company. The petitioners

have refused to complete the installation or to repay the amount.

3. Heard both sides.

4. It is seen from the records that the petitioners approached the first informant stating that their company was Mechanical Systems. But the agreement was entered into by them on behalf of Bava Steel Industries. The reason is that they misrepresented to the first informant that it was their sister concern. It was later realised that Bava Steel Industries was not a running company.

5. Prima facie, the petitioners have committed the offences alleged against them. The facts do not justify granting anticipatory bail to the petitioners.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

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/ True Copy /

P.A. To Judge