

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

Bail Appl..No. 7721 of 2015 ()

CRIME NO. 825/2015 OF VATAKARA POLICE STATION, KOZHIKODE DISTRICT.

.....

PETITIONER/ACCUSED:

**PRABHAVATHI, AGED 47 YEARS,
D/O.LATE KANNAN, PALLICHANKANDY (HARIKRISHNA) HOUSE,
P.O. MUYIPPOTH, KOZHIKODE DISTRICT- 673 524.**

**BY ADVS.SRI.C.VATHSALAN,
SRI.K.RAKESH ROSHAN.**

RESPONDENTS/COMPLAINANT:

**STATE OF KERALA,
(S.I. OF POLICE VATAKARA IN
CRIME NO.825/2015 OF VATAKARA POLICE STATION),
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 31.**

BY SR. PUBLIC PROSECUTOR SRI.C. RASHEED.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.7721 of 2015

Dated this the 14th day of December, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.825 of 2015 of Vatakara Police Station registered for offences punishable under Sections 3 and 17 of the Kerala Money Lenders Act. Even though, he was said to be involved in an offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, the learned Public Prosecutor on instruction submitted that as such the said Act is not attracted.

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

4. Complaint levelled by the defacto complainant is that he borrowed money from the defacto complainant and collected exorbitant rate of interest. Thereafter, the petitioner obtained a sale deed in respect of 10.5 cents of property belonging to the defacto complainant. Considering the nature of allegations, following

directions are issued :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, the petitioner 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 all Saturdays 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

//True copy//

PA to Judge