

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

Bail Appl..No. 8229 of 2014 ()

CRIME NO. 2089/2014 OF VADANAPPALLY POLICE STATION.

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PETITIONER/ACCUSED:

**BRASHITHA BIJOY, AGED 29 YEARS,
W/O.BIJOY, KADASSERY HOUSE,
THALIKULAM P.O., TRICHUR-680 569.**

**BY ADVS.SRI.M.R.SARIN,
SRI.K.RAKESH.**

RESPONDENTS/STATE/DEFACTO COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
VADANAPPALLY POLICE STATION,
THRISSUR DISTRICT-680 510.**

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B.KEMAL PASHA, J.

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B.A. No.8229 of 2014

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Dated this the 27th day of January, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.2089 of 2014 of the Vadanappally Police Station, registered for the offences punishable under Sections 406 and 420 IPC.

3. The allegation against the petitioner is that she had collected an amount of Rs.95,20,000/- from various persons by offering that the said amount would be invested in share market, and she defrauded and cheated all the said investors.

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

5. The contents of the CD *prima facie* reveal the

complicity of the petitioner. The investigation of the case is not over. The investigation has a long way to go. The allegations against the petitioner are very grave and serious. Considering the seriousness of the allegations against the petitioner and the present stage of the investigation, I am satisfied that the petitioner is not entitled to the discretionary relief of anticipatory bail. At the same time, the learned counsel for the petitioner seeks for an opportunity to the petitioner to surrender before the investigating officer and to co-operate with the investigation.

In the result, this bail application is dismissed. At the same time, if so advised, the petitioner may surrender before the investigating officer within ten days from today and in such case, the investigating officer can interrogate the petitioner, effect recovery if any, and conduct the investigation and produce the petitioner without delay before the court below, where the petitioner can move for bail. In such case, the learned Magistrate shall pass appropriate orders, preferably

on the same day itself, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/-

**B. KEMAL PASHA
JUDGE**

DSV/28/1/15

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P.A. To Judge