

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

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937**

**Bail Appl.No. 8619 of 2014**  
-----

**CRIME NO. 1144/2014 OF KUZHALMANNAM POLICE STATION, PALAKKAD**  
.....

**PETITIONER(S):**  
-----

**SEREENA, AGED 30,  
W/O.ABDUL JALEEL, THEKKINKADU,  
PALLANCHATHANNOOR P.O.,  
PALAKKAD DISTRICT.**

**BY ADV. SRI.E.S.ASHRAF**

**RESPONDENT(S):**  
-----

- 1. THE STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA AT ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE,  
KUZHALMANNAM POLICE STATION, PALAKKAD DISTRICT.**

**BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
11-08-2015 ALONG WITH BA.108/2015 THE COURT ON THE SAME DAY  
PASSED THE FOLLOWING:**

**msv/**

**K.ABRAHAM MATHEW, J.**

-----  
**B.A.Nos.8619 of 2014 and B.A.No.108 of 2015**  
-----

**Dated this the 11<sup>th</sup> day of August, 2015**

**COMMON ORDER**

Petition filed under Section 438 Cr.P.C.

2. Petitioners were employees of Neethi Store run by Kerala State Co-operative Consumer Federation. The allegation is that they mis-appropriated a few lakhs of rupees and certain items kept in the store room. The total loss caused to the employer is about Rs.5 lakh.

3. Heard.

4. The petitioner in Bail application 8619 of 2014 was working as Store in-charge. There was a shortage of stock which was noticed towards the end of 2014. There is no explanation for the shortage on the part of the said petitioner. The petitioner in the other Bail application was entrusted with money to remit in the bank. The allegation is that he failed to remit the amount. Annexure-A1 produced by the 2<sup>nd</sup> petitioner in B.A.No.8619 of 2014 is a copy of a letter written by him to the Zonal Manager. He has frankly admitted that he misappropriated Rs.1,77,617/-. He has expressed his readiness to deposit the amount.

5. So the petitioners have to explain the shortage in the stock and the misappropriation of money. The money belonged to the public. It is not proper to grant them anticipatory bail.

In the result, this application is dismissed. Learned counsel submits that the petitioners will surrender before the investigating officer. They may do so if they are so advised.

**K.ABRAHAM MATHEW  
JUDGE**

pm