

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

Bail Appl..No. 8943 of 2014

**C.C.NO.748/2014 OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE COURT,
THIRUVANANTHAPURAM**

PETITIONER(S)/A1 :

**SABARINATH, AGED 30 YEARS,
S/O.RAJAN, SABARI NIVAS, KODANGAVILA,
KAVALAKULAM DESOM, NEYYATTINKARA, THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT(S)/STATE :

**STATE OF KERALA,
REPRESENTED BY THE DEPUTY POLICE SUPERINTENDENT CBCID,
THIRUVANANTHAPURAM,
REPRESENTED THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY SR.PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B. KEMAL PASHA, J.

.....
B.A. No.8943 of 2014
.....

Dated this the 7th day of January, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 1<sup>st</sup> accused in C.C. No.748/2014 of the Additional Chief Judicial Magistrate's Court, Thiruvananthapuram for the offences punishable under Sections 120B, 109, 403, 406, 409, 420, 65, 468 and 471 read with Section 34 IPC and Section 45 of the RBI Act, 1934 read with Sections 58B and 5A of the RBI Act.

3. The prosecution case is that the accused had cheated several persons for amounts running to crores by conducting various financial institutions without any licence or valid permission from the RBI or from other statutory authorities. He has amassed huge amounts running to crores and has not cared to repay the amounts. On the basis of complaints, several crimes were registered against

the accused. The petitioner was arrested and remanded in the year 2008. He was granted bail in the year 2011. Subsequently, he absconded for more than three years and finally, surrendered in the year 2014. It seems that he had even gone to the extent of forging documents for getting bail when he was enlarged on bail. Over and above all these, during the period in which he was absconding, he along with his friends allegedly committed rape on a girl for which another crime has been registered. He is accused in more than 33 cases. Considering all the above, I am satisfied that the petitioner is not entitled to be enlarged on bail.

In the result, this Bail Application is dismissed. The court below is directed to take necessary steps to have an expeditious disposal of the case against the petitioner.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/07/01

*// True Copy //*

*PA to Judge*