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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

ANTICIPATORY BAIL APPLICATION NO.1452 OF 2017

1. Michael Joseph Ferreira
 2. Malckolm Nozer Desai
- ...Applicants

Versus

1. The State of Kerala
 2. The State of Maharashtra
- ...Respondents

Mr.Manoj Mohite a/w Ms.Dipika Batheja, i/b Agrud Partners, for the Applicants.

Mr.Ajay Patil, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 14th AUGUST, 2017

P.C. :

Not on board. Taken on board.

1. Heard learned Counsel for the parties.
2. The applicants are apprehending arrest in C.R.No.1168 of 2017, registered with the Ernakulam Town North Police Station, Kochi, for the alleged offences punishable under Sections 406, 420, 34 of the Indian Penal Code r/w Sections 3, 4 of the Prize Chits and Money

Circulation Scheme (Banning) Act, 1978, and as such, seek Transit Bail, for a period of three weeks, so as to enable them to approach the appropriate Court, in Kochi.

3. Learned Counsel for the applicants submits that the Apex Court has stayed further proceedings in 20 CRs., lodged in six different States. He relied on the said order, which is on page 66 of the application. He submitted that the nature of allegations as against the applicants in the present C.R., are identical to the FIRs, of which investigation has been stayed by the Apex Court. He submitted that the applicant no.1 is a senior citizen, aged 77 years and that the applicants be given some time to approach the appropriate Court in Kochi. He submitted that the present FIR, does not even name the applicant no.1.

4. Learned APP does not dispute the fact, that the Apex Court has stayed further proceedings in 20 CRs., lodged in six different States.

5. In the peculiar facts of this case, the application is allowed on the following terms and conditions:-

ORDER

i) In the event of the applicants' arrest in connection with C.R.No.1168 of 2017, registered with the Ernakulam Town North Police Station, Kochi, the applicants be enlarged on transit bail, for a period of three weeks from today, on executing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount ;

ii) During this period, the applicants shall approach the appropriate Court and seek necessary orders.

6. It is made clear, that this Court has not considered the application on merits.

7. The Application is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)