IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

TUESDAY, THE 15TH DAY OF DECEMBER 2020 / 24TH AGRAHAYANA, 1942

Bail Appl..No.4578 OF 2020

CRIME NO.549/2020 OF EDATHUA POLICE STATION , ALAPPUZHA

PETITIONER/ACCUSED:

ASHOK KUMAR B,
AGED 48 YEARS,
ROHINI NIVAS,
THALAVADY SOUTH,
THALAVADY VILLAGE,
EDATHUWA,
ALAPPUZHA
PIN-689573

BY ADV. SRI.S.SANAL KUMAR

RESPONDENTS:

1 **STATE OF KERALA,**
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM
PIN-682031

2 **INDIRADEVI K.S.,**
AGED 52 YEARS,
PATTAMANA ILLOM,
KAVUMBHAGOM P.O,
THIRUVALLA
PIN-689102

R1 BY PUBLIC PROSECUTOR

OTHER PRESENT:

SRI.E.C.BINEESH -PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15.12.2020, ALONG WITH Bail Appl..4579/2020, Bail Appl..4605/2020, Bail Appl..4713/2020, Bail Appl..4714/2020, Bail Appl..4761/2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

TUESDAY, THE 15TH DAY OF DECEMBER 2020 / 24TH AGRAHAYANA, 1942

Bail Appl..No.4579 OF 2020

CRIME NO.547/2020 OF EDATHUA POLICE STATION , ALAPPUZHA

PETITIONER/ACCUSED:

ASHOK KUMAR B,
AGED 48 YEARS,
ROHINI NIVAS,
THALAVADY SOUTH,
THALAVADY VILLAGE,
EDATHUA,
ALAPPUZHA,
PIN-689573

BY ADV. SRI.S.SANAL KUMAR

RESPONDENTS:

1 **STATE OF KERALA,**
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM
PIN-682031

2 **SREEKALA S. NAIR,**
AGED 45 YEARS,
CHAITHRAM, KUNTHIRIKKAL P.O.,
THALAVADY, ALAPPUZHA
PIN-689574

R1 BY PUBLIC PROSECUTOR
OTHER PRESENT:

SRI.E.C.BINEESH -PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15.12.2020, ALONG WITH Bail Appl..4578/2020, Bail Appl..4605/2020, Bail Appl..4713/2020, Bail Appl..4714/2020, Bail Appl..4761/2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

TUESDAY, THE 15TH DAY OF DECEMBER 2020 / 24TH AGRAHAYANA, 1942

Bail Appl..No.4605 OF 2020

CRIME NO.548/2020 OF EDATHUA POLICE STATION , ALAPPUZHA

PETITIONER/ACCUSED:

ASHOK KUMAR B,
AGED 48 YEARS,
ROHINI NIVAS,
THALAVADY SOUTH,
THALAVADY VILLAGE, EDATHUA,
ALAPPUZHA
PIN-689573

BY ADV. SRI.S.SANAL KUMAR

RESPONDENTS:

1 **STATE OF KERALA,**
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM
PIN-682031

2 **GOPALAKRISHNA PILLAI,**
AGED 55 YEARS,
NADUVILE PARAMBIL HOUSE,
KUNTHIRIKAL, THALAVADY P.O,
ALAPPUZHA
PIN-689572

R1 BY PUBLIC PROSECUTOR
OTHER PRESENT:

SRI.E.C.BINEESH -PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15.12.2020, ALONG WITH Bail Appl..4578/2020, Bail Appl..4579/2020, Bail Appl..4713/2020, Bail Appl..4714/2020, Bail Appl..4761/2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

TUESDAY, THE 15TH DAY OF DECEMBER 2020 / 24TH AGRAHAYANA, 1942

Bail Appl..No.4713 OF 2020

CRIME NO.548/2020 OF EDATHUA POLICE STATION , ALAPPUZHA

PETITIONER/ACCUSED:

RATHEESH,
AGED 42 YEARS,
CHANDRALAYAM,
THAYANKARI MURI,
EDATHUWA VILLAGE,
ALAPPUZHA
PIN-689573

BY ADV. SRI.S.SANAL KUMAR

RESPONDENT:

STATE OF KERALA,
REPRESNETED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM
PIN-682031

R1 BY PUBLIC PROSECUTOR
OTHER PRESENT:

SRI.E.C.BINEESH -PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15.12.2020, ALONG WITH Bail Appl..4578/2020, Bail Appl..4579/2020, Bail Appl..4605/2020, Bail Appl..4714/2020, Bail Appl..4761/2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

TUESDAY, THE 15TH DAY OF DECEMBER 2020 / 24TH AGRAHAYANA, 1942

Bail Appl..No.4714 OF 2020

CRIME NO.547/2020 OF EDATHUA POLICE STATION , ALAPPUZHA

PETITIONER/ACCUSED:

RATHEESH,
AGED 42 YEARS,
CHANDRALAYAM,
THAYANKARI MURI,
EDATHUWA VILLAGE.
ALAPPUZHA
PIN-689573

BY ADV. SRI.S.SANAL KUMAR

RESPONDENT:

STATE OF KERALA,
REPRESNTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM
PIN-682031

R1 BY PUBLIC PROSECUTOR
OTHER PRESENT:

SRI.E.C.BINEESH -PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15.12.2020, ALONG WITH Bail Appl..4578/2020, Bail Appl..4579/2020, Bail Appl..4605/2020, Bail Appl..4713/2020, Bail Appl..4761/2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

TUESDAY, THE 15TH DAY OF DECEMBER 2020 / 24TH AGRAHAYANA, 1942

Bail Appl..No.4761 OF 2020

CRIME NO.549/2020 OF EDATHUA POLICE STATION , ALAPPUZHA

PETITIONER/ACCUSED:

RATHEESH,
AGED 42 YEARS,
CHANDRALAYAM,
THAYANKARI MURI,
EDATHUWA VILLAGE,
ALAPPUZHA
PIN-689573

BY ADV. SRI.S.SANAL KUMAR

RESPONDENTS:

1 STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM
PIN-682031

2 INDRIADEVI K.S,
AGED 52 YEARS,
PATTAMANAILLOM,
KAVUMBHAGOM P.O,
THIRUVALLA
PIN-689102

R1 BY PUBLIC PROSECUTOR
OTHER PRESENT:

SRI.E.C.BINEESH -PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15.12.2020, ALONG WITH Bail Appl..4578/2020, Bail Appl..4579/2020, Bail Appl..4605/2020, Bail Appl..4713/2020, Bail Appl..4714/2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

COMMON ORDER

Dated this the 15th day of December 2020

Applications for Anticipatory Bail

The applicant in BA Nos. 4578/2020, 4579/2020, 4605/2020 is the 2nd accused in the crimes referred to therein and the applicant in BA Nos. 4713/2020, 4714/2020, 4761/2020 is the 5th accused in the crimes referred to therein. All the crimes are for offences punishable under Sections 420, 406, 120B read with Section 34 of the IPC. The prosecution case, in brief, is this:

2. The 2nd accused is a treasurer of Veda Vyasa Vidya Peedom, an unaided school and the 5th accused is a collecting agent and they had allegedly induced the defacto complainant to join a chitty in the year 2016 and a monthly payment of Rs.5,000/- was collected from those persons for 31 months. However, the chitty amount was not paid to them and thus, they were cheated and the amounts misappropriated. It is alleged that the applicants were working as treasurer and collecting agent for a Trust and the amount was realised by the Trust and

not by the applicants personally. The Trust has properties which could be liquidated for the purpose of payment of money to the subscribers. The incident occurred in the year 2016. One Radhakrishanan Nair was the Secretary during the year 2016 and he died unexpectedly and therefore, the financial matters of the Trust came to a nought and could not be materialized. The applicants are innocent and they have no other criminal antecedents. They are willing to co-operate with the investigation and seek anticipatory bail.

3. Heard the learned counsel appearing for the applicants and the learned Public Prosecutor. The applicants are allegedly involved in running the Trust in the form of treasurer and collection agent. The Trust received the amount and the applicants did not allegedly misappropriate the amount for themselves. They are willing to co-operate with the investigation. And, I find no reason for custodial interrogation of the applicants. Some of the accused have already granted anticipatory bail and the applicants are also similarly placed.

4. In the result, the application is allowed and the applicants are directed to surrender before the Investigating Officer within two weeks. After interrogation, in the event of

their being arrested, they shall be released on bail on the execution of bonds for Rs.50,000/- (Rupees Fifty thousand only) each with two solvent sureties each for the like amount to the satisfaction of the Investigating Officer and on the following further conditions:

(i) They shall appear before the Investigating Officer as and when called for, and they shall co-operate with the investigation.

(ii) They shall not tamper with evidence, influence or intimidate witnesses.

(iii) They shall not get involved in any similar offences during the bail period.

In case of breach of any of the bail conditions, the prosecution shall be at liberty to apply for cancellation of bail before the jurisdictional court.

The bail applications are allowed.

Sd/-
ASHOK MENON
JUDGE

NR/15/12/20