IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

THURSDAY, THE 25TH DAY OF JULY 2024 / 3RD SRAVANA, 1946

CRL.MC NO. 5849 OF 2024

CRIME NO.81/2023 OF PERAMANGALAM POLICE STATION, THRISSUR

AGAINST THE ORDER/JUDGMENT DATED 04.06.2024 IN CRMP NO.3424 OF 2024 OF ADDITIONAL DISTRICT COURT & SESSIONS COURT -IV, THRISSUR / III ADDITIONAL MACT, THRISSUR

PETITIONER/ACCUSED:

PRAVEEN.K.P
AGED 37 YEARS
S/O.K.K.PUSHKARAN, KAIPPILLY HOUSE, VELUTHUR,
THRISSUR, PIN – 680012

BY ADVS.
POOJA P.
HARISHMA P. THAMPI
JITHIN VARGHESE
R.ROHITH
ADHIENA S.

RESPONDENTS/COMPLAINANT & STATE:

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

2 **THE INVESTIGATION OFFICER**
DISTRICT CRIME BRANCH (EOW), THRISSUR,
PIN - 680545. REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN – 682031

BY ADV. VIDYA KURIAKOSE, GP

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 25.07.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Annexure A2 order passed by the III Additional Sessions Judge, Thrissur is under challenge in this Crl.M.C.

2. The petitioner is an accused in Crime No.81/2023 of Peramangalam Police Station, Thrissur. The offences involved are punishable under Sections 406 and 420 of the Indian Penal code, 1860, Section 3 read with Section 21 and Section 5 read with Section 23 of the Banning of Un-Regulated Deposit Schemes Act, 2019.

3. This Court granted bail to the petitioner as per Annexure-A1 order imposing several conditions. One of the conditions is that, he shall not leave the State of Kerala without the permission of the Trial Court. It was specified in the bail order that the application, if any, for modification of the bail conditions or cancellation of the bail shall be filed at the jurisdictional Court.

4. The petitioner filed an application before the Trial Court to relax condition No.(vi) in the bail order that he shall not leave the State of Kerala. The reason sought for was that he wants to meet his wife and her family, who are now residing at Bombay, in connection with the divorce petition filed by the wife before the Family Court, Thrissur. The

application was strongly opposed by the prosecutor. After hearing both sides, the Trial Court dismissed the application as per Annexure-A2 order. It is challenging the said order, the petitioner has approached this Court.

5. I have heard the learned counsel for the petitioner and the learned Government Pleader.

6. Over and above the reason shown to leave the State of Kerala before the Trail Court, the petitioner has now shown another reason in this Crl.M.C. It is stated that the petitioner has got a job in Mumbai and he has to travel to Mumbai in connection with the said job. An appointment letter has been produced as Annexure-A4 dated 03.01.2024. However, such a plea was not taken by the petitioner before the Trial Court.

7. The Chief Investigating Officer of the crime has filed a detailed report. In the report it is stated that the alleged partnership firm which offered job to the petitioner is owned by the brother and driver of the petitioner. The enquiry conducted by the Chief Investigating Officer reveals that one of the managing partners of the firm is one Mr. Shaju K.B., who is none other than the driver of the petitioner and the another partner of the firm is the brother of the petitioner. In the

report it is also stated that the petitioner has invested Crores of Rupees in Maharashtra State where his wife and relatives reside.

8. The prosecution case is that, the petitioner has received crores of rupees from public and misappropriated the amount by making several investments outside the State. It is in those circumstances, that a condition was imposed in the bail order that he shall not travel outside the State.

Considering all these facts, I am of the view that the permission sought for by the petitioner to travel outside Kerala cannot be granted. Accordingly, this Crl.M.C is dismissed.

Sd/-
DR. KAUSER EDAPPAGATH
JUDGE

AJ

APPENDIX OF CRL.MC 5849/2024

PETITIONER ANNEXURES

ANNEXURE A1	**TRUE COPY OF THE ORDER DATED 04.04.2023 IN B.A.NO. 2417/2023**
ANNEXURE A2	**CERTIFIED COPY OF THE ORDER DATED 4-06-2024 IN CRL. M.P NO.3424/2024 III ADDITIONAL SESSIONS JUDGE, THRISSUR**
ANNEXURE A3	**TRUE COPY OF THE ORIGINAL PETITION O.P.NO.798/2023 DATED 15-05-2023 FOR DIVORCE PREFERRED BY THE WIFE OF THE PETITIONER**
ANNEXURE A4	**TRUE COPY OF THE APPOINTMENT LETTER DATED 3-01-2024**
ANNEXURE A5	**TRUE COPY OF THE EMPLOYEE-EMPLOYER CONTRACT DATED 17-01-2024**
ANNEXURE A6	**TRUE COPY OF THE COMPLAINT FILED BY THE EMPLOYERS AGAINST THE 2ND RESPONDENT BEFORE THE CITY POLICE COMMISSIONER, THRISSUR DATED 20.07.2024**
ANNEXURE A7	**TRUE COPY OF THE RECEIPT GIVEN BY THE CITY POLICE COMMISSIONER, THRISSUR DATED 20.07.2024**