



2025:KER:16956

BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 1



2025:KER:16956

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 3RD DAY OF MARCH 2025 / 12TH PHALGUNA, 1946

BAIL APPL. NO. 3759 OF 2024

CRIME NO.416/2024 OF Perumbavoor Police Station, Ernakulam

PETITIONER/S:

BEEVIJA P. H,
AGED 45 YEARS
W/O. BINOY SALAM, SUBAH (H), CHAITHANYA NAGAR,
PARAPPURAM, PERUMBAVOOR P. O, ERNAKULAM DISTRICT,
PIN - 683542

BY ADVS.
NISHA GEORGE
NAMITA PHILSON
GEORGE POONTHOTTAM (SR.)

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, PIN - 682031
- 2 THE INSPECTOR OF POLICE,
PERUMBAVOOR POLICE STATION, PERUMBAVOOR, ERNAKULAM
RURAL, ERNAKULAM DISTRICT, PIN - 683542
- 3 MUHAMMED N.A,
S/O. ABOOBACKER, RESIDING AT NATHEKKATTU HOUSE,
NORTH EZHIPRAM KARA, ERNAKULAM DISTRICT (IMPLEADED
AS ADDL R3 AS PER ORDER DTD 29/5/24 IN CRL MA 1/24)



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BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 2



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4 NIKSHEPA SAMRAKSHANA SAMITHI (PERUMBAVOOR URBAN
SAHAKARANA SANGHAM NO. 2024) SAMITHI
C/O METRO MEDICALS, NEAR NEW PRIVATE BUS STAND,
PERUMBAVOOR-683542, REPRESENTED BY ITS SECRETARY
IMPLEADED AS R4 VIDE ORDER DATED 21-1-25 IN CRL MA
2/24

BY ADVS.
PUBLIC PROSECUTOR, SRI.C.K.SURESH
R.UMASANKAR
ADDL.DIRECTOR GENERAL OF PROSECUTION

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.02.2025, ALONG WITH Bail Appl..4860/2024, 4864/2024 AND
CONNECTED CASES, THE COURT ON 03.03.2025 DELIVERED THE
FOLLOWING:



2025:KER:16956

BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 3



2025:KER:16956

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 3RD DAY OF MARCH 2025 / 12TH PHALGUNA, 1946

BAIL APPL. NO. 4860 OF 2024

CRIME NO.838/2024 OF Perumbavoor Police Station, Ernakulam

PETITIONER/S:

- 1 K.M ABDUL SALAM,
AGED 61 YEARS
S/O MUSTAFA, KARIYELIL HOUSE, PERUMBAVOOR VILLAGE,
PERUMBAVOOR ARA, KUNNATHUNAADU TALUK, PIN - 683542
- 2 AGI EBRAHAM,
AGED 56 YEARS
S/O EBRAHAM, AMBATTU HOUSE, MARAKKAR ROAD,
PERUMBAVOOR VILLAGE, PERUMBAVOOR KARA, KUNNATHUNADU
TALUK, PIN - 683542

BY ADVS.
SIRAJ KAROLY
MOHAMMED SHAD K.A.
SRUTHY N. BHAT
P.VIJAYA BHANU (SR.)

RESPONDENT/S:

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



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BA Nos. 3759, 4860, 4864, 4876, 4969,

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2 NIKSHEPA SAMRAKSHANA (PERUMBAVOOR URBAN SAHAKARANA SANGHAM NO.2024) SAMITHI
C/O. METRO MEDICALS , NEAR NEW PRIVATE BUS STAND
PERUMBAVOOR - 683542 REPRESENTED BY ITS SECRETARY IS
IMPLEADED AS ADDL.R2 AS PER ORDER DATED 21/01/2025
IN CRL.MA. 1/2024.

BY ADVS.
PUBLIC PROSECUTOR, SRI.C.K.SURESH
ADDL.DIRECTOR GENERAL OF PROSECUTION,
SRI.R.UMASANKAR, ADDL.R3

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.02.2025, ALONG WITH Bail Appl..3759/2024 AND CONNECTED
CASES, THE COURT ON 03.03.2025 DELIVERED THE FOLLOWING:



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BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 5



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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 3RD DAY OF MARCH 2025 / 12TH PHALGUNA, 1946

BAIL APPL. NO. 4864 OF 2024

CRIME NO.838/2024 OF Perumbavoor Police Station, Ernakulam

PETITIONER/S:

- 1 NOUSHAD,
AGED 58 YEARS
S/O SHEIK PAREED, VARIKADAN HOUSE, ONNAMILE,
PERUMBAOOR VILLAGE, PERUMBAVOOR KARA, KUNNATHUNADU
TALUK, P.O PERUMBAVOOR, PIN - 683542
- 2 BABU JOHN,
AGED 65 YEARS
S/O JOHN, NETAJI BHAVAN, POOPANI ROAD, PERUMBAVOOR
VILLAGE, PERUMBVOOR KARA, KUNNATHUNADU TALUK, PIN -
683542
- 3 SHARAF,
AGED 59 YEARS
S/O SYED MOHAMMED, KALAPURAKKAL HOUSE, RAYONPURAM
P.O, PERUMBAVOOR VILLAGE, PERUMBAVOOR KARA, PIN -
683543
- 4 P.S ABOOBACKER,
AGED 48 YEARS
S/O SULAIMAN, PUTHIRI HOUSE, RAYANPURAM P.O,
CHELAMMATAM VILLAGE, KUNNATHUNADU TALUK, PIN - 68354
- 5 C.A MUHAMMED (MUHAMMED KUNJU),
AGED 61 YEARS
S/O ADIMAKUTTY, CHENTHARA HOUSE, CHELAMMATOM



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BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 6



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VILLAGE, VALLAM KARA, P.O RAYONPURAM, KUNNATHUNADU
TALUK, PIN - 683543

BY ADVS.
SIRAJ KAROLY
MOHAMMED SHAD K.A.
SRUTHY N. BHAT
P.VIJAYA BHANU (SR.)

RESPONDENT/S:

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

BY ADVS.
PUBLIC PROSECUTOR SRI.C.K.SURESH
ADDL.DIRECTOR GENERAL OF PROSECUTION

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.02.2025, ALONG WITH Bail Appl..3759/2024 AND CONNECTED
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BA Nos. 3759, 4860, 4864, 4876, 4969,

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 3RD DAY OF MARCH 2025 / 12TH PHALGUNA, 1946

BAIL APPL. NO. 4876 OF 2024

CRIME NO.838/2024 OF Perumbavoor Police Station, Ernakulam

PETITIONER/S:

- 1 ES RAJAN,
AGED 48 YEARS
S/O SREEDHARAN EDATHOTTIL HOUSE, ERNAKULAM RURAL,
KERALA, (ACCUSED NO. 5), PIN - 683542
- 2 NA RAHIM,
AGED 63 YEARS
S/O AHAMED UNNI, NANETHAN HOUSE, RAYON-PURAM,
VALLAM, PERUMBAVOOR, ERNAKULAM RURAL, KERALA,
(ACCUSED NO. 7), PIN - 683543
- 3 NISHA ANIL,
AGED 45 YEARS
W/O ANIL, THOTTUPURAM HOUSE, KARATTAPALLIKKARA,
PERUMBAVOOR, ERNAKULAM RURAL, KERALA (ACCUSED
NO.14), PIN - 683542

BY ADV P.D.SARANGADHARAN

RESPONDENT/S:

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



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BA Nos. 3759, 4860, 4864, 4876, 4969,

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2 THE STATION HOUSE OFFICER,
PERUMBAVOOR POLICE STATION, ERNAKULAM RURAL, PIN -
683542

3 NIKSHEPA SAMRAKSHANA SAMITHI (PERUMBAVOOR URBAN
SHAKARANA SANGHAM 2024)
C/O METRO MEDICALS, NEAR NEW PRIVATE BUS STAND,
PERUMBAVOOR-683542, REPRESENTED BY ITS SECRETARY
IMPLEADED AS R4 VIDE ORDER DATED 21-1-25 IN CRL MA
2/24

BY ADVS.
PUBLIC PROSECUTOR SRI.C.K.SURESH
ADDL.DIRECTOR GENERAL OF PROSECUTION,
SRI.R.UMASANKAR, ADDL.R3

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
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BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 9



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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 3RD DAY OF MARCH 2025 / 12TH PHALGUNA, 1946

BAIL APPL. NO. 4906 OF 2024

CRIME NO.838/2024 OF Perumbavoor Police Station, Ernakulam

PETITIONER/S:

BEEVIJA P. H,
AGED 45 YEARS
W/O. BINOY SALAM, SUBAH (H), CHAITHANYA NAGAR,
PARAPPURAM, PERUMBAVOOR P. O, ERNAKULAM DISTRICT, PIN
- 683542

BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.)

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, PIN - 682031
- 2 THE INSPECTOR OF POLICE,
PERUMBAVOOR POLICE STATION, PERUMBAVOOR, ERNAKULAM
RURAL, ERNAKULAM DISTRICT, PIN - 683542
- 3 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL),
CIVIL STATION, KAKKANAD, ERNAKULAM, PIN - 682030



2025:KER:16956

BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 10



2025:KER:16956

BY ADVS.
PUBLIC PROSECUTOR SRI.C.K.SURESH
ADDL.DIRECTOR GENERAL OF PROSECUTION

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.02.2025, ALONG WITH Bail Appl..3759/2024 AND CONNECTED
CASES, THE COURT ON 03.03.2025 DELIVERED THE FOLLOWING:



2025:KER:16956

BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 11



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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 3RD DAY OF MARCH 2025 / 12TH PHALGUNA, 1946

BAIL APPL. NO. 4969 OF 2024

CRIME NO.838/2024 OF Perumbavoor Police Station, Ernakulam

PETITIONER/S:

K. RAVIKUMAR,
AGED 66 YEARS
SUDARSANA AVITTAM HOUSE, NEAR BOYS LP SCHOOL,
PERUMBAVOOR, ERNAKULAM RURAL, PIN - 683542
BY ADVS.
SINU.G.NATH
N.ANILKUMAR
DEEPA DEVI C.

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM, PIN - 682031
- 2 STATION HOUSE OFFICER,
PERUMBAVOOR RURAL POLICE STATION, PERUMBAVOOR P.O.,
ERNAKULAM, PIN - 683542

BY ADVS.
PUBLIC PROSECUTOR SRI.C.K.SURESH
ADDL.DIRECTOR GENERAL OF PROSECUTION

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.02.2025, ALONG WITH Bail Appl..3759/2024 AND CONNECTED
CASES, THE COURT ON 03.03.2025 DELIVERED THE FOLLOWING:



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BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 12



2025:KER:16956

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 3RD DAY OF MARCH 2025 / 12TH PHALGUNA, 1946

BAIL APPL. NO. 5561 OF 2024

CRIME NO.838/2024 OF Perumbavoor Police Station, Ernakulam

PETITIONER/S:

PUSHPA VARGHESE,
AGED 60 YEARS
W/O. VARGHESE, CHAKKALA HOUSE, IRINGOLE,
PERUMBAVOOR, ERNAKULAM DISTRICT, PIN - 683545

BY ADV A.P.LALY @ LALY VINCENT

RESPONDENT/S:

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

BY ADVS.
PUBLIC PROSECUTOR SRI.C.K.SURESH
ADDL.DIRECTOR GENERAL OF PROSECUTION

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.02.2025, ALONG WITH Bail Appl..3759/2024 AND CONNECTED
CASES, THE COURT ON 03.03.2025 DELIVERED THE FOLLOWING:



2025:KER:16956

BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 13



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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 3RD DAY OF MARCH 2025 / 12TH PHALGUNA, 1946

BAIL APPL. NO. 5881 OF 2024

CRIME NO.996/2024 OF Perumbavoor Police Station, Ernakulam

PETITIONER/S:

BEEVIJA P.H.,
AGED 45 YEARS
W/O. BINOY SALAM, SUBAH (H), CHAITHANYA NAGAR,
PARAPPURAM, PERUMBAVOOR P.O., ERNAKULAM DISTRICT,
PIN - 683542
BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.)
NAMITA PHILSON

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM, PIN - 682031
- 2 THE INSPECTOR OF POLICE,
PERUMBAVOOR POLICE STATION, PERUMBAVOOR, ERNAKULAM
RURAL, ERNAKULAM DISTRICT, PIN - 683542
PUBLIC PROSECUTOR, SRI.C.K.SURESH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.02.2025, ALONG WITH Bail Appl..3759/2024 AND CONNECTED
CASES, THE COURT ON 03.03.2025 DELIVERED THE FOLLOWING:



2025:KER:16956

BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 14



2025:KER:16956

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 3RD DAY OF MARCH 2025 / 12TH PHALGUNA, 1946

BAIL APPL. NO. 5890 OF 2024

CRIME NO.997/2024 OF Perumbavoor Police Station, Ernakulam

PETITIONER/S:

BEEVIJA P.H.,
AGED 45 YEARS
W/O. BINOY SALAM, SUBAH (H), CHAITHANYA NAGAR,
PARAPPURAM, PERUMBAVOOR P.O., ERNAKULAM DISTRICT,
PIN - 683542
BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.)
NAMITA PHILSON

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM, PIN - 682031
- 2 THE INSPECTOR OF POLICE,
PERUMBAVOOR POLICE STATION, PERUMBAVOOR, ERNAKULAM
RURAL, ERNAKULAM DISTRICT, PIN - 683542

BY ADVS.
PUBLIC PROSECUTOR SRI.C.K.SURESH
ADDL.DIRECTOR GENERAL OF PROSECUTION

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.02.2025, ALONG WITH Bail Appl..3759/2024 AND CONNECTED
CASES, THE COURT ON 03.03.2025 DELIVERED THE FOLLOWING:



2025:KER:16956

BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024 15



2025:KER:16956

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

MONDAY, THE 3RD DAY OF MARCH 2025 / 12TH PHALGUNA, 1946

BAIL APPL. NO. 5896 OF 2024

CRIME NO.1010/2024 OF Perumbavoor Police Station, Ernakulam

PETITIONER/S:

BEEVIJA P.H.,
AGED 45 YEARS
W/O. BINOY SALAM, SUBAH (H), CHAITHANYA NAGAR,
PARAPPURAM, PERUMBAVOOR P.O., ERNAKULAM DISTRICT,
PIN - 683542

BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.)
NAMITA PHILSON

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM, PIN - 682031
- 2 THE INSPECTOR OF POLICE,
PERUMBAVOOR POLICE STATION, PERUMBAVOOR, ERNAKULAM
RURAL, ERNAKULAM DISTRICT, PIN - 683542

BY ADVS.
PUBLIC PROSECUTOR SRI.C.K.SURESH
ADDL.DIRECTOR GENERAL OF PROSECUTION

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.02.2025, ALONG WITH Bail Appl..3759/2024 AND CONNECTED
CASES, THE COURT ON 03.03.2025, DELIVERED THE FOLLOWING:



2025:KER:16956

BA Nos. 3759, 4860, 4864, 4876, 4969,

4906, 5561, 5881, 5890 and 5896 of 2024

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P.V.KUNHIKRISHNAN, J.

**BA Nos. 3759, 4860, 4864, 4876, 4969, 4906,
5561, 5881, 5890 and 5896 of 2024**

Dated this the 3rd day of March, 2025

ORDER

These bail applications are filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 / 438 of the Criminal Procedure Code, 1973. These bail applications are connected and therefore, I am disposing of these bail applications by a common order.

2. The petitioners in BA Nos. 4906/2024, 4860/2024, 4864/2024, 4876/2024, 4969/2024, and 5561/2024 are accused in Crime No.838/2024 of Perumbavoor Police Station, Ernakulam. The petitioner in BA No.4906/2024 is also accused in Crime Nos.416/2024, 996/2024, 997/2024, and 1010/2024 of Perumbavoor Police Station. Hence, she filed BA



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Nos.3759/2024, 5881/2024, 5890/2024 and 5896/2024.

3. First, I will consider the bail applications filed by the accused in Crime No.838/2024 of Perumbavoor Police Station. Crime No.838/2024 was registered by the Perumbavoor Police alleging offences punishable under Sections 406, 408, 409, 417, 465, 467, 468, 471 and 420 r/w 34 of IPC. The above case is registered based on a complaint filed by the Joint Registrar (General), Ernakulam, Sri. Jossal Fransis Thoppil. The complaint is filed based on an inquiry conducted under Section 68(1) of the Kerala Co-operative Societies Act, 1969.

4. Accused are the present and former members and staff of the Perumbavoor Urban Co-operative Society Ltd. No.2024 (hereinafter referred to as 'the Society'). The allegation is that accused Nos.1 to 18, with an intention to cause unjust loss to the Society and unjust gain for themselves, during the period from 2011-2016, misused their official position, by forging documents for granting membership



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without qualification, and granting loans without accepting loan documents as per the Co-operative Society Rules and thereby caused a loss of Rs.33,33,87,691/- to the Co-operative Society. Hence, it is alleged that the accused committed the aforesaid offences.

5. The petitioner in BA No.3759/2024 is the accused in Crime No.416/2024 of Perumbavoor Police Station. The above case is registered alleging offences punishable under Section 409 IPC. The prosecution case is that the petitioner who is the Secretary of the Perumbavoor Urban Bank, misappropriated about Rs.4,47,025/- deposited in the joint account of the defacto complainant in that case and his wife, Rs.18,14,099/- and Rs.38,20,399/- which were deposited as fixed deposit in the account of the defacto complainant and his wife respectively. It is alleged that she had intentionally misappropriated the funds and had not disbursed the amounts even after the date of maturity. Hence, it is alleged that the



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accused committed the offence.

6. BA No.5881/2024 is filed by the accused in Crime No.996/2024 of Perumbavoor Police Station. The above case was registered alleging offences punishable under Sections 468, 471, and 420 r/w 34 of IPC. The prosecution case is that the accused forged documents to avail a loan in the name of the defacto complainant for an amount of Rs.20 lakhs without his knowledge and thereby committed the said offences. It is further alleged that the petitioner, along with others, misused the application submitted by the defacto complainant in order to avail the said loan. Hence, it is alleged that the accused committed the offence.

7. BA No. 5890/2024 is filed by the accused in Crime No.997/2024 of Perumbavoor Police Station. The above case was registered against the petitioner and others alleging offences punishable under Sections 468, 471 and 420 r/w 34 of IPC. The prosecution case is that the accused forged documents



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to avail a loan in the name of the de facto complainant for an amount of Rs.20 lakhs without his knowledge and thereby committed the said offence. It is further alleged that the petitioner, along with others, misused the application submitted by the defacto complainant in order to avail the said loan. Hence, it is alleged that the accused committed the said offence.

8. The petitioner in BA No.5896/2024 is an accused in Crime No.1010/2024 of Perumbavoor Police Station. The above case is registered alleging offences punishable under Sections 468, 471 and 420 r/w 34 of IPC. The prosecution case is that the accused forged documents to avail a loan in the name of the defacto complainant for an amount of Rs.20 lakhs without his knowledge and thereby committed the said offences. It is further alleged that the petitioner, along with others, misused the application submitted by the de facto complainant in order to avail the said loan. Hence, it is alleged that the accused



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committed the offence.

9. Heard Senior Counsel Adv. Sri. George Poonthottam instructed by his retaining counsel, Senior Counsel Adv. Sri. P. Vijayabhanu instructed by his retaining counsel and Adv. Sri. N. Anil Kumar for the petitioners. I also heard Senior Public Prosecutor Adv. Sri. C.K. Suresh for the State.

10. The Senior Counsel Adv. Sri. George Poonthottam appeared for Beevija P.H., who is the accused in Crime Nos. 838/2024, 416/2024, 996/2024, 997/2024 and 1010/2024 of Perumbavoor Police Station. The short point raised by the Senior Counsel is that Smt. Beevija P.H. took charge as Secretary of the Society from 01.06.2016. The alleged irregularities were found by the Joint Registrar, which is the basis for registering these cases that happened before she took charge as Secretary. Therefore, it is submitted that she was not in charge of the Society when the irregularities were alleged to have been committed. In addition to this, the Senior Counsel



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also submitted that his client Beevija P.H., is only the Secretary of the Society. She is bound to proceed based on the decision of the Director Board of the Society. She was only acting as per the direction of the Director Board of the Society, and therefore, she cannot be implicated as an accused. The Senior Counsel also submitted that his client is now suffering from depression and adjustment disorder caused by the high stress at the workplace due to the false allegations raised against her. It is also submitted that she has been hospitalized as an inpatient. Therefore, the counsel for the petitioner also submitted that she may be released on bail on medical grounds also.

11. The learned Senior Counsel Adv. Sri. P. Vijayabhanu submitted that K.M. Abdul Salam, who is the 1st accused and Babu John, who is the 4th accused in Crime No. 838 of 2024, are seriously laid up, and therefore, the Senior Counsel submitted that they may be released on bail on medical grounds. The Senior Counsel also submitted that the 2nd



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accused in Crime No. 838 of 2024, who is the 2nd petitioner in BA No. 4860/2024, held the office during the period from 2004 to 2014. However, the complaint based on this incident was filed about a decade later. The Senior Counsel submitted that the allegation against him is also unsustainable.

12. Adv. Sri. N. Anilkumar, who appeared for the petitioner in BA No.4969/2024, submitted that his client was the Secretary of the Society for the period from 1986 to 31.05.2016, and he retired on 31.05.2016.

13. The counsel also submitted that he is aged 66 and is suffering from a cerebral haemorrhage that happened in 2012. It is submitted that he is still continuing the medicine for the same with restricted movements. It is also submitted that the left portion of his body was completely paralysed and he is having 60% disability. Annexure-A1 is produced in BA No.4969/2024 to prove the same.

14. The Senior Public Prosecutor who appeared for



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the State seriously opposed the bail application. The Senior Public Prosecutor submitted that he has filed separate statements in all these cases about the involvement of the petitioner in the case. The Public Prosecutor submitted that this is a clear case in which a huge amount of money has been looted from society by the accused in these cases. The Public Prosecutor submitted that the investigation is in the preliminary stage. According to the Public Prosecutor, the investigation so far revealed that the accused persons allotted loans with deceitful intention to cheat the Society. The Public Prosecutor also submitted that the money on behalf of these loans was disbursed by cash and not through the account. Hence, to whom the money was actually handed over was not clear. The Public Prosecutor also submitted that the addresses of the persons in whose names the loans were issued were written vaguely and hence, the investigating authority is in a difficult position to proceed with the investigation. Hence, it is



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submitted that the custodial interrogation of the accused in these cases is necessary. But, the learned Senior Public Prosecutor fairly submitted that the accused No. 1, K M Abdul Salam and accused No.4, Babu John are seriously laid up and if this Court grants bail to them, stringent conditions may be imposed.

15. This Court considered the contentions of the petitioners and the Senior Public Prosecutor. When these bail applications came up for consideration initially, there was an order from this Court not to arrest the petitioners and that order is in force even now. Subsequently, when these cases came up for consideration before this Court on 27.01.2025, this Court passed the following order :

"These bail applications are pending before this Court for about one year. An interim order is also there not to arrest the petitioners. I am of the considered opinion that, before deciding these bail applications, the Investigating authority should be given an opportunity to interrogate the petitioners and submit a report before this Court as to whether the custodial interrogation of the petitioners is necessary in the



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facts and circumstances of the case because the prosecution case itself is that the case can be proved through oral and documentary evidence.

2. Petitioners shall appear before the Investigating Officer on 03.02.2025. The Investigating Officer is free to interrogate the petitioners continuously for three days from 10 A.M. to 4 P.M. if required.

3. The 1st petitioner in B.A. No.4860/2024 and the 2nd petitioner in B.A. No.4864/2024 can be interrogated from their residence or hospital by the Investigating Officer, if necessary, because it is submitted that they are completely laid up. Petitioners shall not be arrested till the next posting date. The Investigating Officer shall submit a report before this Court on 10.02.2025."

Post on 10.02.2025."

16. After the passing of the above order, the petitioners in these cases, except two of them, appeared before the investigating officer. Their statements are recorded. The 1st accused, K M Abdul Salam was interrogated from his house at Perumbavoor and accused No.4 was interrogated from Karitas Hospital, Kottayam. After the interrogation, the investigating officer filed a statement on 07.02.2025. The investigating



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officer in that statement also insists for a custodial interrogation of the petitioners.

17. The investigation in Crime No.838/2024 of Perumbavoor Police Station was originally conducted by M.K. Rajesh and K.M.Soofi, Inspectors of Police, Perumbavoor. Subsequently, the case was transferred to the Crime Branch as per order No. D2-105986/2024/PHQ dated 21.10.2024 of the DGP & State Police Chief, and it was re-registered in the Crime Branch Police Station as Crime No.1797/2024 and forwarded to Crime Branch, Economic Offence Wing, Ernakulam unit. They are conducting the investigation.

18. First, I will consider the bail application filed by the accused in Crime No. 838/2024 as BA No. 4860/2024, which is now being investigated by the Crime Branch. BA No 4860/2024 is filed by accused No.1 KM Abdul Salam and accused No.2, Agi Ebrahim. As far as the 1st petitioner in this case is concerned, the investigating officer conceded that he is



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laid up and suffering from illness. The Public Prosecutor submitted that he can be released on bail, after imposing stringent conditions.

19. But, the bail application of the 2nd petitioner, who is the 2nd accused, is seriously opposed. The 2nd petitioner was a member of the Director Board of the Society from 2009 to 2014. According to the prosecution on 28.02.2011, the Director Board of the Society passed a loan by pledging the property measuring 7.64 ares in Survey No.17/2 in Chelamattom Village of Mr V.P.Rasaq, who is the 6th accused in the above case, who is a member of the Director Board and passed 27 loans to 27 persons, who were friends and associates of him and the loan amount disbursed was Rs.81,00,000/-. According to the prosecution, at that time, the maximum loan that could be allowed to one person was Rs.3,00,000/- only. It is submitted that in the meeting of the Director Board, the 1st accused attended and he signed in the minutes along with the



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other accused. The 2nd petitioner, who is the 2nd accused, was a member of the Director Board of the Society from 2009 to 2014. He participated in the meeting of the Board, which passed the loans to the property of Sulaiman and signed the minutes. The loans issued were not to actual persons and the money was not given to the persons, in whose name the loans were issued. As a member of the Director Board, he is fully responsible for this, is the contention of the prosecution. As the Director Board member, the 2nd petitioner is responsible for the illegal loans allotted by the Director Board, is the submission. It was his duty to ensure that the loans were being issued properly and the deposits of the people were being utilized properly. I think there is a force in the argument of the prosecution. A huge amount is disbursed, flouting the rules and the 2nd petitioner is a signatory to the minutes of the meeting in which the loans were sanctioned. When the investigating officer submits before this Court that the custodial interrogation



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of this petitioner is necessary, this Court cannot deny the same, especially when the total amount involved is crores.

20. BA No. 4906/2024 is filed by the 18th accused. According to the senior counsel, Sri. George Poonthottam, the 18th accused, was the Secretary of the Society only from 01.06.2016. Therefore, it is submitted that she is not responsible for the illegal loans disbursed by the Director Board, prior to that. However, the Public prosecutor took me through paragraph 9 of the statement filed by the investigating officer in this case. In the above paragraph, it is stated that the Director Board on 03.01.2017, passed 39 loans for Rs.20,00,000/- each (total Rupees 7.8 crores) by pledging the property measuring 20.92 ares in Survey No.50/01, 50/02 in Perumbavoor Village, of Mr Jiji K John, a previous staff of the society. The persons in whose names the loans were allotted were the friends and relatives of Jiji K. John is the submission. It is also the case of the prosecution that, at that time, the maximum loan that could



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be allowed to one person was 20 lakhs as per the bye-law. The loan was allowed to him, his wife, his daughters etc. The address mentioned in the loan application was not the same even though they lived in the same house. The meeting of the Director Board was attended and the minutes was signed by the Director Board member and the petitioner. It is also submitted by the prosecution that the valuation report was signed by P.S. Aboobacker, who is the 11th accused, Pushpa Prabha Varghese, who is the 9th accused and Nisha Anil, who is the 14th accused for Rs.15,53,93,760/-. The fair value of the property is Rs.1,25,52,000/-. It is also submitted by the prosecution that the loans were not repaid so far, and now the amount due is Rs.14,74,91,238/-. It is submitted that the amount cannot be recovered from the property pledged and it happened because of the wrong valuation of the property. Therefore, it is submitted that the custodial interrogation of the petitioner is necessary. I think there is a force in the above submission



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also. The petitioner has to surrender before the Investigating Officer.

21. B.A. No.4969/2024 is filed by K.Ravikumar, who is the 17th accused. The involvement of the 17th accused is clearly stated in the statement filed by the Investigating Officer. The main contention raised by Adv. N. Anilkumar is that the petitioner is suffering from serious ailments. Adv. N. Anilkumar took me through the Annexure-A1 disability certificate. This Court perused the same. It is true that there is a permanent whole-body disability of 60% certified by the Orthopaedic Surgeon. The Public Prosecutor submitted that the Investigating Officer interrogated the petitioner and he came to the office of the Investigating Officer. He has no serious illness to exempt him from custodial interrogation. When the allegations are very serious, this Court is not in a position to exempt the petitioner from custodial interrogation on medical grounds alone.

22. Petitioners in B.A. No.4864/2024 are accused



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Nos.3, 4, 10, 11 & 16. Admittedly, the 3rd petitioner, who is the 10th accused (Sharaf), is already arrested and he is released on bail by this Court. Therefore, the bail application of the 3rd petitioner, who is the 10th accused, is infructuous. As far as the 2nd petitioner (Babu John), who is the 4th accused, is concerned, it is submitted by the Public Prosecutor that he is hospitalized and suffering from a serious illness. Therefore, it is submitted that this Court can grant bail to him considering the medical grounds. What remains are petitioners 1, 4 and 5, who are accused Nos.3, 11 and 16. A statement is filed by the Investigating Officer as far as the involvement of these petitioners is concerned. This Court carefully perused the same. Specific allegations are there against these petitioners. The Investigating Officer, even after the interrogation based on the order passed by this Court, submitted that the custodial interrogation of these petitioners is necessary. If that is the case, I think this Court cannot invoke the extraordinary



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jurisdiction to grant bail to them.

23. B.A. No.4876/24 is filed by accused Nos.5, 7 and 14. As far as these accused are concerned, a statement is filed by the prosecution. This Court perused the same. I am of the considered opinion that this is not a fit case in which the petitioners can be released on bail invoking the powers under Section 482 of the BNSS.

24. Similarly, the petitioner in B.A. No.5561/2024 is the 9th accused in the above case. In that case also, a statement is filed. This Court carefully perused the statement. After going through the statement and also considering the involvement of the petitioner, I think the custodial interrogation is necessary.

25. B.A. Nos. 5881/2024, 5890/2024, 5896/2024 & 3759/2024 are filed by Beevija P.H., who is the 2nd accused in Crime Nos. 996/2024 and 997/2024, 3rd accused in Crime No. 1010/2024 & 1st accused in Crime No. 416/2024 of



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Perumbavoor Police Station. The allegation in Crime No.416/2024 is that there is a misappropriation of funds by the accused. The de facto complainant deposited a huge amount and the same has not been disbursed even after the period of maturity. According to the prosecution, the fixed deposit amounts were not disbursed because of the maladministration and misappropriation of funds by the petitioner and other accused. In such circumstances, according to me, the petitioner is not entitled to the discretionary jurisdiction of this Court. As far as Crime Nos.996/2024, 997/2024 and 1010/2024, respectively, of Perumbavoor Police Station are concerned, the allegation is almost the same. It is alleged that the accused forged the documents to avail loans in the name of the defacto complainants in these cases, without their knowledge and thereby committed the offences. The allegations are serious. In such circumstances, I am of the considered opinion that the petitioner in the above cases is also



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not entitled to the discretionary relief of bail.

26. The upshot of the above discussion is that the petitioners are not entitled to bail.

Therefore, these bail applications are disposed of in the following manner:

- i) B.A. Nos. 5881/2024, 5890/2024, 5896/2024, 3759/2024, 5561/2024, 4876/2024, 4969/2024 and 4906/2024 are dismissed.
- ii) B.A. No.4864/2024 is allowed in part. The bail application of petitioner Nos.1, 4 and 5, who are accused Nos.3, 11 and 16 respectively, are dismissed. The bail application of the 3rd petitioner (Sharaf), who is the 10th accused, is dismissed as infructuous. If the 2nd petitioner (Babu John), who is the 4th accused, is arrested in connection with Crime No.838/2024 of Perumbavoor Police Station, he shall be released on bail on executing a bond for a sum of Rs.50,000/-(Rupees



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Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the arresting officer concerned. The petitioner shall cooperate with the investigation.

- iii) B.A. No.4860/2024 is allowed in part. If the 1st petitioner (K.M.Abdul Salam), who is the 1st accused, is arrested in connection with Crime No.838/2024 of Perumbavoor Police Station, he shall be released on bail on executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the arresting officer concerned. The petitioner shall cooperate with the investigation. The bail application of the 2nd petitioner, who is the 2nd accused in the above crime is dismissed.

SD/-

**P.V.KUNHIKRISHNAN
JUDGE**

nvj/SKS/DM