

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

MONDAY, THE 18TH DAY OF AUGUST 2025 / 27TH SRAVANA, 1947

BAIL APPL. NO. 8716 OF 2025

CRIME NO.338/2024 OF CRIME BRANCH, ERNAKULAM, Ernakulam

AGAINST THE JUDGMENT DATED 18.06.2025 IN Bail Appl. NO.3177
OF 2025 OF HIGH COURT OF KERALA

PETITIONER/ACCUSED NO.5:

P.C.TOMY, AGED 73 YEARS
S/O. CHAKKAPPAN, RESIDING AT PURAKKATTIL HOUSE,
ANGAMALY P.O, ERNAKULAM RURAL, PIN - 683572.

BY ADVS.
SRI.R.ANIL
SRI.B.RAMAN PILLAI (SR.)
SHRI.SUJESH MENON V.B.
SRI.THOMAS SABU VADAKEKUT
SHRI.MAHESH BHANU S.
SHRI.RESSIL LONAN
SHRI.JOEL GEORGE KAMPIYIL
SHRI.ANANTH KRISHNA K.S.
SHRI.GEORGE VINCI JOSE

RESPONDENT/COMPLAINANT:

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

BY ADVS.
SENIOR PUBLIC PROSECUTOR SRI C.K.SURESH

ADC.B.RAMAN PILLAI (SR.)
ADDL.DGP T.A.SHAJI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
29.07.2025, ALONG WITH Bail Appl..8757/2025, THE COURT ON
18.08.2025 DELIVERED THE FOLLOWING:



2025:KER:61962

B.A.Nos.8716/2025 & 8757/2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

MONDAY, THE 18TH DAY OF AUGUST 2025 / 27TH SRAVANA, 1947

BAIL APPL. NO. 8757 OF 2025

CRIME NO.338/2024 OF CBCID, ERNAKULAM, Ernakulam

AGAINST THE JUDGMENT DATED 18.06.2025 IN Bail Appl.NO.11104
OF 2024 OF HIGH COURT OF KERALA

PETITIONER/ACCUSED NO.12:

ELSY VARGHESE, AGED 70 YEARS,
W/O VARGHESE P P, RESIDING AT PAYYAPPILLY HOUSE,
KIDANGOOR, ANGAMALY, PIN - 683572.

BY ADVS.
SRI.S.RAJEEV
SRI.V.VINAY
SRI.M.S.ANEER
SHRI.SARATH K.P.
SHRI.ANILKUMAR C.R.
SHRI.K.S.KIRAN KRISHNAN
SMT.DIPA V.
SHRI.AKASH CHERIAN THOMAS

RESPONDENT/STATE:

STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA (CRIME NO 112/2024 OF ANGAMALY
POLICE STATION, ERNAKULAM; RE-REGISTERED AS CRIME
NO.338/CB/COW/EKM/R/2024 BY CRIME BRANCH, PIN-682031.

BY ADVS.
PUBLIC PROSECUTOR
ADDL.DIRECTOR GENERAL OF PROSECUTION

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
29.07.2025, ALONG WITH Bail Appl.8716/2025, THE COURT ON
18.08.2025 DELIVERED THE FOLLOWING:



COMMON ORDER

Dated this the 18th day of August, 2025

These bail applications have been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking regular bail and the petitioners are accused Nos.5 and 12 in Crime No.338/CB/EOW/EKM/R/2024 of Crime Branch, Ernakulam (originally registered as Crime No.112 of 2024 of Angamaly Police Station, Ernakulam).

2. Heard the respective counsel for the petitioners and the learned Additional Director General of Prosecution (ADGP). Perused the relevant materials available.

3. In these matters, crime was registered alleging that the accused persons, who are the members of the Managing Committee of the Angamaly Urban Cooperative Society, abused their position with intention to cause undue loss to the Society, have sanctioned fake loans and renewed loans by using the same documents in the name of fake persons and misappropriated Rs.55 Crores belongs the Society. Thus, crime was registered alleging commission of offences punishable



under Sections 406, 408, 417, 465, 467, 468, 471, 420 read with 34 of the Indian Penal Code as well as under Sections 13(1)(a) and 13(2) of the Prevention of Corruption Act, 1988. Thereafter, as submitted by the learned ADGP, during the course of investigation, it is revealed that, as of now, the misappropriation of money would come to Rs.115.8 Crores.

4. The learned senior counsel appearing for the 5th accused would submit that, the even though, the 5th accused was also a member of the Director Board of the Society and he had participated in various meetings and conceded the decisions to grant fake loans, as alleged by the prosecution, there is no allegation for the prosecution that, there was conspiracy in between him and the other accused. It is submitted by the learned senior counsel for the 5th accused that, the 5th accused is aged and ailed and was arrested on 25.06.2025 and since then he has been in judicial custody. It is submitted by the learned senior counsel for the 5th accused further that, since the investigation has progressed substantially, further detention of the 5th accused, who is aged and ailed, in custody is not necessary and he is liable to be



released on bail.

5. The learned counsel appearing for the 12th accused would submit that, the 12th accused is a lady aged 78 years and she deposited Rs.10 Lakh by herself and Rs.70 Lakh of her relatives in the Society. The learned counsel conceded that, even though being a Board member, the 12th accused also signed in the minutes whereby the alleged fake loans were granted, she had no intention to misappropriate the money. It is pointed out by the learned counsel for the 12th accused that, the 12th accused was arrested on 24.06.2025 and she has been in judicial custody since then. The learned counsel for the 12th accused submitted that, since the investigation has progressed substantially, further detention of the 12th accused in custody is not necessary and she is liable to be released on bail.

6. The learned ADGP opposed grant of regular bail to the petitioners. According to the learned ADGP, this is a huge scam, whereby many depositors were affected and the role of the petitioners in this crime are well made out, *prima facie*. The learned ADGP also pointed out the progress of investigation and conceded that the petitioners have no criminal antecedents.



7. Earlier, anticipatory bail plea at the instance of the petitioners/accused Nos.5 and 12 was negated by this Court as per the common order dated 18.06.2025 in B.A. Nos.11104 of 2024 and 3177 of 2025. Thereafter, accused Nos.5 and 12 were arrested on 25.06.2025 and 24.06.2025 respectively and have been in custody since then. It is submitted by the learned ADGP that the petitioners have no criminal antecedents.

8. In fact, the allegations against the petitioners are very serious and the same would require effective investigation. However, having considered the custody of the petitioners from 24.06.2025 and 25.06.2025 onwards, who have no criminal antecedents and on noticing the progress of investigation, I am of the view that, further custody of the petitioners, for the purpose of investigation is not necessary and they can be enlarged on bail.

Therefore, these petitions stand allowed. The petitioners are enlarged on bail on conditions:

- i. The petitioners shall be released on bail on executing bond for Rs.50,000/- (Rupees Fifty Thousand Only) each with two solvent sureties, each for the like



amount to the satisfaction of the Jurisdictional court concerned.

ii. The petitioners shall not intimidate the witnesses or tamper with evidence. They shall co-operate with the investigation and shall be available for trial.

iii. The petitioners shall appear before the Investigating Officer as and when directed, apart from appearing before the Investigating Officer on all Mondays between 9 am and 10 am, for a period of three months or till the completion of investigation, whichever is earlier.

iv. The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of this case, so as to dissuade him from disclosing such facts to the court or to any police officer.

v. The petitioners shall not involve in any other offence during the currency of bail and any such event, if reported or came to the notice of this court, the same alone shall be a reason to cancel the bail hereby granted.

vi. The petitioners shall not leave the jurisdiction of



the Jurisdictional Court without prior permission of the Jurisdictional Court.

vii. Violation of any of the conditions imposed shall result in cancellation of bail hereby granted.

Sd/-

**A. BADHARUDEEN
JUDGE**

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APPENDIX OF BAIL APPL. 8757/2025**PETITIONER' s ANNEXURES**

Annexure-1	A TRUE COPY OF THE FIR IN CRIME NO 112/2024 OF ANGAMALY POLICE STATION, ERNAKULAM.
Annexure-2	THE TREATMENT RECORDS OF THE HUSBAND OF THE PETITIONER.
Annexure-3	THE TRUE COPY OF THE RECEIPTS OF THE FIXED DEPOSITS MADE BY THE PETITIONER AND HER IMMEDIATE FAMILY MEMBERS.
Annexure-4	A TRUE COPY OF THE ORDER DATED 23.10.2024 IN BA NO 6963/2024.
Annexure-5	A TRUE COPY OF THE LETTER DATED 29.12.2023 SUBMITTED BY BIJU K JOSE.
Annexure-6	A TRUE COPY OF THE REQUEST SUBMITTED BY THE STAFF IN THE SOCIETY.
Annexure-7	ACCUSED COPY OF THE ORDER DATED 11.07.2025 IN CRL MC NO 1957/2025 DISPOSED BY THE COURT OF SESSIONS, ERNAKULAM.
Annexure-A1	TRUE COPY OF THE ORDER DATED 11.07.2025 PASSED BY THE COURT OF SESSIONS, ERNAKULAM.
Annexure-A2	TRUE COPY OF THE ORDER DATED 30.06.2025 PASSED BY THE JFCM, ANGAMALY.



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B.A.Nos.8716/2025 & 8757/2025

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APPENDIX OF BAIL APPL. 8716/2025

PETITIONER' s ANNEXURES

Annexure A1	TRUE COPY OF THE FIXED DEPOSIT RECEIPT NO. 0120000020938 DATED 29-3-2023 ISSUED BY THE ANGAMALY URBAN CO-OPERATIVE SOCIETY LTD NO. E.1081.
Annexure A2	TRUE COPY OF THE FIXED DEPOSIT RECEIPT NO. 0120000019718 DATED 29-11-2022 ISSUED BY THE SOCIETY.
Annexure A3	TRUE COPY OF THE FIXED DEPOSIT RECEIPT NO. 01200000852 DATED 22-3-2023 ISSUED BY THE SOCIETY.
Annexure A4	TRUE COPY OF THE FIXED DEPOSIT RECEIPT NO. 0120000022050 DATED 14-09-2023 ISSUED BY THE SOCIETY.
Annexure A5	TRUE COPY OF THE FIXED DEPOSIT NO. 0120000020946 DATED 29-03-2023 ISSUED BY THE SOCIETY.
Annexure A6	TRUE COPY OF THE FIXED DEPOSIT RECEIPT NO.0120000014403 DATED 15-02-2021 ISSUED BY THE SOCIETY.
Annexure A7	TRUE COPY OF THE FIXED DEPOSIT RECEIPT NO. 0120000022248 DATED 7-11-2023.
Annexure A8	TRUE COPY OF THE FIXED DEPOSIT RECEIPT NO. 0120000011325 DATED 8-8-2019.
Annexure A9	TRUE COPY OF THE FIXED DEPOSIT RECEIPT NO. 0120000020853 DATED 22-3-2023.
Annexure A10	TRUE COPY OF THE FIXED DEPOSIT RECEIPT NO. 0120000021989 DATED 4-9-2023.
Annexure A11	A TRUE COPY OF THE FIRST INFORMATION REPORT NO. 112/2024 OF ANGAMALY POLICE STATION.



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- Annexure A12** A TRUE COPY OF THE REMAND APPLICATION AGAINST THE PETITIONER DATED 25-06-2025 IN CRIME NO. 338/CB/EOW/EKM/R/2024 OF CRIME BRANCH, ECONOMIC OFFENCES WING, ERNAKULAM UNIT (ORIGINALLY REGISTERED AS CRIME NO. 112 /2024 OF ANGAMALY POLICE STATION) .
- Annexure A13** THE TRUE COPY OF THE ORDER DATED 30-06-2025 OF THE HON'BLE JUDICIAL FIRST CLASS MAGISTRATE COURT, ANGAMALY IN CRL. M.P. NO 1328 OF 2025.
- Annexure A14** A TRUE COPY OF THE ORDER IN CRL. M.C. NO. 1968 /2025 BY THE HON'BLE ADDL. SESSIONS JUDGE DATED 10-7-2025.
- Annexure A15** A COPY OF THE MEDICAL CERTIFICATE DATED 18-11-2024 ISSUED BY THE SENIOR CONSULTANT, DEPARTMENT OF CARDIOLOGY, RAJAGIRI HOSPITAL, ALUVA.