

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).7858/2008

(From the judgement and order dated 07/10/2008 in BA No. 6047/2008 of The HIGH COURT OF KERALA AT ERNAKULAM)

REMANI K. Petitioner(s)

VERSUS

SUPERINTENDENT OF POLICE & ORS. Respondent(s)

(With appln(s) for exemption from filing O.T. and anticipatory bail and office report)

WITH SLP(Crl) NO. 577 of 2009

(With appln.(s) for anticipatory bail and office report)

Date: 25/03/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. K.T.S. Tulsi, Sr.Adv.
Mr. Krishnan Venugopal, Sr. Adv.
Mr. B.N. Sivasankaran,Adv.
Mr. A. Raghunath,Adv.

For Respondent(s) Mr. M.L. Varma, Sr.Adv.
Mr. R. Sathish,Adv.
Mr. Satya Mitra, Adv.

UPON hearing counsel the Court made the following
ORDER

The SLP(Crl.) No. 7858/08 and SLP(Crl.) No. 577/09 are taken up together for consideration, inasmuch as both arise out of the same judgment, and the relief prayed for, is also the same. SLP(Crl.) No. 7858/08 has been filed by Dr. Remani K. and the SLP(Crl.) No. 577/09 has been filed by Chandramathy Amma.S.

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Several First Information Reports have been lodged in respect of the Financial Institutions known as Total (IV) U. and the NEST. The said FIRs were lodged mainly against one Sabarinath, who was shown to be a person allegedly managing the Financial Institutions. Subsequently, upon the investigation of the said complaints to the CB. CID Criminal Branch and the CID, certain subsequent FIRs were lodged and the names of the two petitioners were sought to be added as accused in almost all the said cases which have been registered under

Section 420, 406/34 read with Section 120 B IPC.

The allegation

against the accused is that they had conspired and induced the public to invest monies, promised a larger return of interest and subsequently the said amounts were utilized by the accused persons for their own benefits. It is also the case of the Investigating Authorities that after a while the two Financial Institutions were closed down and about one thousand persons invested in the said two Financial Institutions, were cheated of the amount which they had deposited.

The amount involved is quite a large being about Rs. 50 crores. Since these two Special Leave Petitions have been made for anticipatory bail which has been refused by the High Court, it would not be proper for us to go into the discussion as far as the details of the allegations are concerned, but from what has been produced before us, we are

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convinced that there is sufficient material which prima facie appears to make out the case against the petitioners. We accordingly do not think that this is a fit case to grant anticipatory bail. The Special Leave Petitions are accordingly dismissed.

We make it clear that whatever observations that may have been made by us in this order, should not, in any way, influence either the trial or any application for regular bail made on behalf of the petitioners.

(Ganga Thakur)
P.S. to Registrar

(Juginder Kaur)
Court Master