

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

Bail Appl..No. 94 of 2015

CRIME NO. 1118/2014 OF ENATHU POLICE STATION.
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PETITIONER(S)/ACCUSED:

1. RADHAMMA, AGED 64 YEARS,
W/O.BALAKRISHNAKURUP,
SANTHOSH BHAVANAM, ENADIMANGALAM,
KURUMPALA MURI, ADOOR,
PATHANAMTHITTA DISTRICT.
2. PONNAMMA, AGED 53 YEARS,
W/O.RAMACHANDRAN, RATHEESH BHAVANAM,
ENADIMANGALAM, KURUMPALA MURI, ADOOR,
PATHANAMTHITTA DISTRICT.

BY ADV. SMT.SIMLA PRABHAKARAN

RESPONDENT(S)/COMPLAINANT:

1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN - 31.
2. THE SUB INSPECTOR OF POLICE,
ENATHU POLICE STATION,
PATHANAMTHITTA - 689 645.

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

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B.A.No. 94 of 2015

Dated this the 16th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused of having committed the offences under Sections 465 & 468 of the Indian Penal Code, 1860. The prosecution case is that they forged the signature of the first informant in a loan application and submitted it before the bank and obtained a loan of Rs.2,00,000/-.

3. Heard.

4. Learned counsel submits that the signature in the loan application is genuine. The amount now due to the bank is only about Rs.66,000/- as submitted by the learned counsel. The first petitioner is a senior citizen. The second petitioner is aged about 53 years. Their detention is not necessary for effective investigation.

In the result, this application is allowed.

1)The petitioners shall be released on bail on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum if they are

arrested by the Police in connection with this case.

- 2) They shall deposit Rs.33,000/-(Rupees thirty three thousand only) each in the trial court within ten days, failing which the Investigating Officer can file an application before the trial court for cancellation of the bail.*
- 3) The petitioners shall surrender their passports before the lower court concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.*
- 4) They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 5) They shall furnish their handwriting and signatures if they are so required by the Investigating Officer, in all other respects also they shall co-operate with the investigation.*
- 6) They shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every first and third Saturdays for three months or till the final report is filed, whichever is earlier.*
- 7) They shall not intimidate or attempt to influence the witnesses.*
- 8) They shall not destroy or tamper with evidence.*
- 9) They shall not get themselves involved in any other criminal case while they are on bail.*

If the petitioners surrender before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

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In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

//True copy//

P.A. To Judge