

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Bail Appl..No. 574 of 2015

CRIME NO. 51/2014 OF PALLICKAL POLICE STATION , THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED NO.1:

**GIRISH BABU, AGED 42 YEARS
S/O.THANKAPPAN NAIR, SURESH BHAVAN, MADAVOOR
PALLIKKAL, CHIRAYINKEEZHU, THIRUVANANTHAPURAM.**

BY ADV. SRI.V.JAYAPRADEEP

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA
REP. BY THE SUB INSPECTOR, PALLIKKAL POLICE STATION
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

.....
B.A.No.574 of 2015

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Dated this the 3rd day of March, 2015.

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the first accused in Crime No.51/2014 of Pallikkal Police Station registered for the offences punishable under Sections 420,463,465 and 471 IPC and Section 12(1) (b) of the Indian Passport Act, 1967.

3. The allegation against the petitioner is that the petitioner had obtained a fake passport and visa through the second accused and by making use of the same, he worked in Saudi Arabia for 12 years with frequent periodical arrivals at his home.

3. Heard learned counsel for the petitioner and learned Public Prosecutor.

4. It seems that the petitioner was thoroughly interrogated by the investigating officer and his statement has already been

recorded. It is the case of the petitioner that he had approached a travel agent for obtaining his passport and visa and the said passport was arranged and issued by the travel agent, who is the second accused. With the aid of the said documents, he had worked in Saudi Arabia for a period of 12 years. It seems that the custodial interrogation of the petitioner is not required for any purpose at all.

5. Considering the facts and circumstances of the case and the present stage of the investigation, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner, when continued custodial interrogation is not required.

6. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the

officer conducting arrest, and subject to the following terms and conditions:-

(i) The petitioner shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Tuesdays and Fridays, commencing from 10-3-2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

B.KEMAL PASHA, J.
(Judge)

smm

