

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

Bail Appl..No. 762 of 2015 ()

CRIME NO. 251/CR/OCW-I, THIRUVANANTHAPURAM/2011 OF THE CRIME
BRANCH CID OCW, THIRUVANANTHAPURAM.

PETITIONER/3RD ACCUSED:

T. AMBIKA, AGED 45 YEARS,
W/O.RAJENDRA PRASAD, VILAYIL VILAKAM HOUSE,
CHEMBAZHANTHI, THIRUVANANTHAPURAM.

BY ADVS.SRI.R.BINDU (SASTHAMANGALAM),
SRI.PRASANTH M.P.

RESPONDENTS/COMPLAINANT & STATE:

- 1. THE DEPUTY SUPERINTENDENT OF POLICE,**
CBCID HEADQUARTERS,
THIRUVANANTHAPURAM, PIN -675 001.
- 2. STATE OF KERALA,**
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682 031.

BY PUBLIC PROSECUTOR SRI.SREEJITH. V.S.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

B. KEMAL PASHA, J.

.....
B.A. No.762 2015
.....

Dated this the 26th day of February, 2015

ORDER

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Petition under Section 438 Cr.P.C.

2. Petitioner is the 3<sup>rd</sup> accused in CBCID Crime No.251/CR/OCW-1/2011 of Thiruvananthapuram Unit registered for the offences punishable under Sections 465, 466, 468 and 120B IPC.

3. The allegation against the petitioner is that while she was working as the First Grade Draftsman at the Re-Survey Office, Kumarapuram, she had made false entries in the Land Field Register at the office by falsely incorporating the names noted in Sl.Nos.9 and 10, without any supporting documents.

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

5. The contents of the CD *prima facie* reveal the

complicity of the petitioner. It has come out that her specimen handwriting was taken, and the questioned handwriting along with the admitted handwriting and specimen handwriting of the petitioner were subjected to examination by the handwriting expert and an opinion, which was not favourable to the petitioner, has come out. It seems that the investigating officer has interrogated the petitioner in the matter. The evidence being relied on by the prosecution as against the petitioner is merely documentary evidence. I do not think that the custodial interrogation of the petitioner is required for the continued investigation of this case. If at all it is required, the petitioner has to co-operate with it. Considering the facts and circumstances of the case, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

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 her arrest on her

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 Thursdays and Mondays, commencing from 05.03.2015 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.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/26/02

*// True Copy //*  
*PA to Judge*