

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936

Bail Appl..No. 789 of 2015

**CRIME NO. 35/2014 OF KANJIRAMKULAM POLICE STATION,
THIRUVANANDAPURAM**

PETITIONER(S)/ACCUSED:

**GIRLY FREDY, AGED 48 YEARS,
W/O.FREDY, URIYARIKUNNU, PUTHIYATHURA
PULLUVILA P.O., THIRUVANANTHAPURAM.**

**BY ADVS.SRI.P.VIJAYA BHANU (SR.)
SRI.VIPIN NARAYAN
SRI.V.C.SARATH**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

B.A.No.789 of 2015 C

Dated this the 25th day of February 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.35/2014 of Kanjiramkulam police station, Thiruvananthapuram district registered for the offences punishable under Sections 420, 468 and 471 of the I.P.C. and 12(1)(b) of the Passport Act.

3. The petitioner, who is a house wife, who had no passport, wanted to go to U.K. on visiting visa, to visit her husband, who had gone to U.K. on visiting visa and had met with an accident and was undergoing treatment there. She wanted to join her husband for taking care of him, for which she approached one Antony, who was conducting a travel agency near her house.

The said Antony found some short cuts for obtaining passport by showing the name of another person as the husband of the petitioner and by showing the earlier husband as dead. Based on the said documents, a passport was procured in 2008. By that time her husband had returned and therefore, she had not made use of the said passport. Thereafter, she wanted to go to U.K. along with her husband, for which she surrendered the passport before the Passport Officer, seeking a correction in the name of her husband in the passport. She gave a voluntary statement before the Passport Officer by detailing everything what had happened in the matter. The Passport Officer filed a complaint, based on which the present crime has been registered.

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

5. It seems that the investigation of the case is practically over. I do not think that the custodial interrogation of the petitioner

is required for the continued investigation of this case. No criminal antecedents have been reported against the petitioner. It seems that the petitioner had voluntarily appeared before the Investigating Officer and filed a statement regarding the entire matter. Considering all the above, 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 Rs.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 Wednesdays and Saturdays commencing from

4.3.2015 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.

Sd/-
B.KEMAL PASHA,
JUDGE

dl

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P.A. To Judge