

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

Bail Appl..No. 814 of 2015

CRIME NO. 95/2015 OF BAKEL POLICE STATION , KASARGOD DISTRICT

PETITIONER(S)/ACCUSED :

**PRABHAKARAN K., AGED 56 YEARS,
PRINCIPAL, G.H.S.S., UDUMA,
KASARAGOD.**

**BY ADVS. SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN
VINAY.V**

RESPONDENT(S)/STATE :

**1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM - 682 031.
(CRIME NO.95/2015 OF BAKEL POLICE STATION,
KASARAGOD DISTRICT).**

**2. STATION HOUSE OFFICER,
BAKEL POLICE STATION, KASARAGOD DISTRICT - 671 318,
(CRIME NO.95/2015 OF BAKEL POLICE STATION
KASARAGOD DISTRICT).**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-04-2015, ALONG WITH B.A.NO.856/2015 AND B.A.NO.1430/2015
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B. KEMAL PASHA, J.

.....
B.A. Nos.814, 856 & 1430 of 2015
.....

Dated this the 8th day of April, 2015

ORDER

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Petition under Section 438 Cr.P.C.

2. Petitioners are accused Nos.1, 2 and 3 in Crime No.95/2015 of Bekal Police Station registered for the offences punishable under Sections 465, 468, 471 and 420 IPC.

3. It is alleged that all the accused have forged a document showing that some of the girl students of the GHSS Uduma had participated in the group dance competition in the Revenue District Kalolsavam at Kasaragod held during the month of January 2015 at GHSS

Cheruvathoor. It is alleged that by making use of that forged document as genuine, they have procured an order in their favour from the Kerala Lok Ayukta by producing such document.

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

5. It seems that the order was passed by the Lok Ayukta after issuing notice to the parties. At that time, there was no dispute or challenge with regard to the said document allegedly produced before the Lok Ayukta. When such a challenge was there with regard to any such document, the Lok Ayukta could have taken steps against the concerned persons in the matter.

6. The matter relates to a document allegedly produced before the Lok Ayukta for procuring the order. I do not think that the custodial interrogation of the petitioners is required for the continued investigation of this case. No criminal antecedents have been reported against the

petitioners. Matters being so, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioners.

7. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioners, is directed to enlarge the petitioners on bail in the event of their arrest on each of them 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 petitioners shall report before the investigating officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays commencing from 15.04.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

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

BA.814/2015 & connected cases

: 4 :

(iv) The petitioners 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/08/04

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PA to Judge