

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

Bail Appl..No. 2819 of 2015 ()

**CRIME NO. 151/R/EOW-1/KLM/2013 OF OF CBCIDHQ OF ACJM,
THIRUVANANTHAPURAM**

PETITIONER/A-1:-

**C.SASIDHARAN NAIR,
S/O.CHELLAPPAN PILLAI, AGED 61 YEARS,
JAYA NIVAS, PALLITHANAM,NEDUMCAUD,
KARAMANA P.O., THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.K.R.RIJA**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,PIN- 682 031.**

BY PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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RAJA VIJAYARAGHAVAN V, J.

B.A.No.2819 of 2015

Dated this the 17th day of June, 2015

O R D E R

1. This application for anticipatory bail is filed by the petitioner who is the 1st accused in Crime No.151/R/EOW-1/KLM/2013 of CBCID(HQ) registered for offense punishable under Sections 465, 468, 471, 420 of Indian Penal Code.

2. The gist of the allegation against the petitioner is that while he was working as the Branch Manager of the Trivandrum Service Co-operative Bank No.T-131, the petitioner, without the consent or knowledge of Baby Sarojam, an account holder of the Bank, opened an account fraudulently in her name . Thereafter, a cheque for Rs.3,00,000/- from the said account purported to have been signed by Baby Sarojam was handed over to one Suresh Kumar. The said Suresh Kumar presented the cheque and after getting it dishonored initiated civil as well as criminal proceedings against Baby Sarojam. According to the prosecution, the petitioner has fabricated false documents, committed forgery

and has cheated Baby Sarojam and has thus committed the offense.

3. I have heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor has submitted that the allegations are very grave and the facts and circumstances are such that the relief of pre-arrest bail cannot be granted to the petitioner. Faced with such a situation, the learned counsel for the petitioner submitted that he would co-operate with the investigation and sought to limit his prayer for a direction to appear before the Investigating Officer for interrogation and thereafter to seek for regular bail from the jurisdictional Magistrate. In the aforesaid circumstances, I order as follows:-

The petitioner may surrender before the Investigating Officer in Crime No.151/R/EOW-1/KLM/2013 of CBCID(HQ) within ten days from today and in such case, the Investigating Officer may interrogate the petitioner and effect recovery if any. If the interrogation is not over on that day, the petitioner shall appear on all such days as directed by the Investigating Officer. After the interrogation is over, the petitioner shall

be produced before the Addl. Chief Judicial Magistrate where the petitioner can apply for bail. In such a case, the learned Magistrate shall pass appropriate orders on merits, preferably on the same day itself provided advance notice of such application has been given to the Assistant Public Prosecutor.

The petition is disposed of as above.

Sd/-

RAJA VIJAYARAGHAVAN V, JUDGE.

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[True copy]

P.A to Judge