

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

Bail Appl..No. 2918 of 2015

CRIME NO. 153/2015 OF PERUVANTHANAM POLICE STATION , IDUKKI DISTRICT

PETITIONER(S) :

- 1. THOMAS JOSEPH @ SABU, AGED 43 YEARS,
S/O.JOSEPH FRANCIS, CHEMMARAPPALLYIL, PALOORKAVU P.O.,
THEKKEMALA, PERUVANTHANAM, IDUKKI DISTRICT.**
- 2. BINDU, AGED 39 YEARS,
W/O.THOMAS JOSEPH, CHEMMARAPPALLYIL, PALOORKAVU P.O.,
THEKKEMALA, PERUVANTHANAM, IDUKKI DISTRICT.**
- 3. JOSEPH FRANCIS, AGED 68 YEARS,
CHEMMARAPPALLYIL, PALOORKAVU P.O., THEKKEMALA,
PERUVANTHANAM, IDUKKI DISTRICT.**
- 4. BIJU JOSEPH, AGED 38 YEARS,
S/O.JOSEPH FRANCIS, CHEMMARAPPALLYIL, PALOORKAVU P.O.,
THEKKEMALA, PERUVANTHANAM, IDUKKI DISTRICT.**

BY ADV. SRI.M.J.THOMAS

RESPONDENT(S):

**SUB INSPECTOR OF POLICE,
PERUVANTHANAM POLICE STATION, IDUKKI,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 01-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

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Dated this the 1st day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. The petitioners are alleged to have committed the offences under Secs.420, 468 and 471 read with Sec.34 of Indian Penal Code. The prosecution case is that the petitioners affixed the photograph of a stranger in the passport of the first informant and obtained a Visa for him. After reaching Malaysia, he was compelled to come back.

3. Heard both sides.

4. Learned counsel submits that the petitioners took the de facto complainant to Malaysia as promised by them and no offence is made out.

5. The prosecution does not dispute that the petitioner could go to Malaysia. The allegations are entirely different.

6. Prima facie the petitioners have committed

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the offences of forgery and cheating. Two of the petitioners are still abroad. In these circumstances it is not proper to grant them anticipatory bail.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge