

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYASHTA, 1937

Bail Appl..No. 3042 of 2015

CRIME NO. 392/2015 OF CENTRAL POLICE STATION, ERNAKULAM DISTRICT

PETITIONER(S)/ACCUSED :

**VIJAYA KUMAR, AGED 65 YEARS,
S/O. APPU NAIR, "ANUGRAHA", PUDUPPARIYARAM,
OLAVAKKODE, PALAKKAD DISTRICT.**

**BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI**

RESPONDENT(S)/COMPLAINANT AND STATE :

- 1. THE SUB INSPECTOR OF POLICE,
CENTRAL POLICE STATION, ERNAKULAM, PIN- 682 031.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031.**

*** ADDITIONAL R3 IMPEADED**

- 3. MOHAMED BABU, AGED 42 YEARS,
S/O.MOHAMED ALI, PARAMBOOR HOUSE,
PATTIKKAD P.O., MALAPPURAM DISTRICT- 679 325.**

*** ADDITIONAL R3 IS IMPEADED AS PER ORDER DATED 09.06.2015 IN
CRL.M.A.NO.5266 OF 2015.**

**R1 & R2 BY PUBLIC PROSECUTOR SRI.C.RASHEED
ADDL.R3 BY ADVS. SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

B.A. No.3042 of 2015

Dated this the 9th day of June, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. The petitioner is alleged to have committed the offences under Sections 465, 468 and 471 of Indian Penal Code.

3. The prosecution case is that along with an anticipatory bail application filed in this court he produced certain forged documents.

4. Heard.

5. It is submitted that the petitioner has been in custody since 11.05.2015 and he may be granted bail. On the other hand, the learned Public Prosecutor submits that he is involved in several other criminal cases and it is not proper to grant him bail. So far as this case is concerned, his further detention is not necessary for effective investigation. It is true that the petitioner is involved in some other cases. But that alone cannot compel this court to deny him bail.

In the result, this application is allowed.

1. The petitioner will be released on bail on his

executing a bond for Rs.1,00,000/- (One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2. He shall surrender his passport before the lower court concerned of if he does not have one, he shall file an affidavit to that effect within five days of his release.

3. He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

4. He shall appear before the investigating officer between 10 a.m and 11 a.m on every Wednesday for six months, or till the final report is filed, whichever is earlier.

5. He shall not threaten or attempt to influence the witnesses, nor shall he, while on bail, get himself involved in any criminal case; nor shall he destroy or attempt to destroy the evidence or interfere with the investigation.

If the petitioner violates any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

sd/-
K. ABRAHAM MATHEW
JUDGE