

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYAISHTA, 1937

Bail Appl..No.3169 of 2015

CRIME NO.451/2015 OF GURUVAYOOR POLICE STATION, THRISSUR.

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PETITIONER/2ND ACCUSED:

**RATHEESH K.R, AGED 31 YEARS,
S/O.RAJAN K.R., KUNNATHULLY HOUSE,
POTTORE DESOM, KOLAZHI VILLAGE,
THRISSUR DISTRICT.**

**BY ADVS.SRI.M.A.ABDUL HAKHIM
SRI.C.A.ANAS**

RESPONDENT:

**STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
GURUVAYOOR POLICE STATION, THRISSUR DISTRICT,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V..SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K. ABRAHAM MATHEW, J.

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B.A.No. 3169 of 2015

Dated this the 16th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner along with the co-accused is alleged to have forged signature of the first informant in a cheque and filed a complaint before Judicial Magistrate under Section 138 of the NI Act, the number of the case being C.C. No. 1091/2015 on the file of the Judicial First Class Magistrate, Chavakkad. They have thus committed the offences under Sections 420, 468, and 471 IPC.

3. Heard.

4. Admittedly, the petitioner has filed a complaint against the first informant under Section 138 NI Act. The cheque is in the custody of the court. The allegation is that the signature and the other entries in the cheque were forged by the petitioner. This is denied by him. As of now there is nothing to show that the cheque is a forged one. So, I am inclined to grant the prayer.

In the result, this application is allowed. If it is reported by the FSL that the cheque is a forgery, the Investigating Officer may apply for cancellation of bail.

1)The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/-(Rupees Twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2)He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) He shall not destroy or tamper with evidence.

4) He shall not get himself involved in any other criminal case while he is on bail.

5) He shall not intimidate or attempt to influence the witnesses.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

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P.A. To Judge