

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. 3344 of 2015

CRIME NO. 229/2009 OF EDATHUA POLICE STATION , ALAPPUZHA

PETITIONER(S)/ACCUSED NOS.1 & 2:

1. **GOPI RAJAN, AGED 61 YEARS,
S/O.GOVINDAN, MANATHARA VEETIL,
ANAPARMPAL, VADAKKUM MURI,
THALAVADY VILLAGE, KUTTANAD.**
2. **KOMALAM .N, AGED 54 YEARS W/O.GOPI RAJAN,
MANATHARA VEETIL,
ANAPARMPAL, VADAKKUM MURI,
THALAVADY VILLAGE, KUTTANAD.**

**BY ADVS.SRI.S.SANAL KUMAR
SRI.M.T.SURESHKUMAR
SMT.BHAVANA VELAYUDHAN**

RESPONDENT(S)/COMPLAINANT & STATE:

**STATE OF KERALA,
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 16-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.3344 of 2015

Dated this the 16th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners, who are husband and wife, are alleged to have committed the offences under Sections 416, 419, 468 and 471 of Indian Penal Code.

3. The prosecution case is that they created a forged sale deed showing the first informant as the vendor.

4. Heard.

5. The first petitioner is the brother of the first informant. The other petitioner is his wife. The third accused is their daughter. The incident happened in 2003. The learned counsel submits that there is a dispute in the family with regard to the property and the civil suit filed by the first informant was dismissed for default. Having regard to these facts I am inclined to take the view that custodial interrogation of the petitioners is not necessary. So they will be granted anticipatory bail.

In the result, this application is allowed.

1. The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent sureties for the like sum each they are arrested by the police in connection with this case.

2. They shall furnish their handwriting and signatures to the investigating officer if they are so required by him.

3. They shall appear before the investigating officer between 10.00 a.m and 11.00 a.m every first and third Saturdays for three months or till the final report is filed, whichever is earlier.

4. They shall not get themselves involved in any other criminal case while they are on bail.

5. They shall not intimidate or attempt to influence the witnesses.

6. They shall not destroy or tamper with evidence.

7. They shall surrender their passports before the lower court concerned or if they do not have one, they shall file an affidavit to that effect within five days of their release.

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

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

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge

