

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

Bail Appl.No. 3519 of 2015

CRIME NO. 489/2015 OF MANNUTHY POLICE STATION, THRISSUR
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PETITIONER(S)/7TH ACCUSED:

**DAVIS, AGED 46 YEARS,
S/O. THOMAS, VELIYATH HOUSE, PARAVATTANI,
P.O. OLLUKKARA, OLLUKKARA VILLAGE, THRISSUR DISTRICT.**

**BY ADVS.SRI.P.G.SURESH
SRI.RAJAN VISHNURAJ
SRI.G.SUDHEER (THURAVOOR)
SRI.V.HARISH**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA
REPRESENTED BY SUB INSPECTOR OF POLICE, MANNUTHY,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.LISHA M.G.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
10-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

SUNIL THOMAS, J.

B.A. No. 3519 of 2015

Dated this the 10th day of July, 2015

O R D E R

This application for Anticipatory Bail, is filed by the 7th accused in Crime No.489/2015 of Mannuthy Police Station for offences punishable under Sections 120(b), 419, 420, 465, 468, 471, 472 r/w Section 34 of I.P.C.

2. The complaint was lodged by a Service Co-operative Bank in relation to a series of instances in which few persons availed loans from the Bank, by production of forged documents. In the case of the petitioner herein, the allegation was that he submitted a loan application signed by the accused nos.8 and 9 posing them as Government employees. It was alleged that the salary certificate produced along with the above documents were forged and hence the complaint. The records show that most of the accused were arrested. However, the 4th

accused was granted bail by an order in B.A.No. 2624/2015. The petitioner seeks bail.

3. Heard and examined records.

4. The learned counsel for the petitioner vehemently contended that 7th accused is not involved in the Crime and that he had only entrusted the loan application to the 1st accused, who is rendering customer service for availing loan from the Co-operative Bank. He contended that he has not involved in any forgery and has not availed any benefit from the bank.

5. It is record that, loan application was submitted but loan was not released. The certificate produced by accused nos. 8 and 9 are forged documents. The manner in which the above forged documents happened to be produced, the complicity of each of the accused and whether other persons are involved etc. are matters to be revealed through an interrogation. The Bail Application of the 4th accused was allowed on a different consideration

that she was an aged lady of 74 years old. The contention of the learned counsel for the petitioner that loan has not been sanctioned and hence a lenient view is liable to be taken cannot be accepted for the simple reason that, it does not make the gravity of the offence nonetheless simple.

In the above circumstances, I am not inclined to grant anticipatory bail to the petitioner. However, it is made clear that in the event of the petitioner either surrendering or being arrested, and if an application for bail is submitted, it shall be considered by the Learned Magistrate preferably on the same day, taking into consideration that atleast some of the evidence are in the nature of documentary evidence.

Sd/-
SUNIL THOMAS
JUDGE