

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 30TH DAY OF JULY 2015/8TH SRAVANA, 1937

Bail Appl..No. 4217 of 2015

CRIME NO. 505/2015 OF KOYILANDY POLICE STATION , KOZHIKODE DISTRICT

PETITIONER(S)/ACCUSED :

**M.K.KRISHNADAS, AGED 45 YEARS,
S/O.LATE GOPALAN NAIR, 'GOKULAM' HOUSE, IRUTTUTHAZHAE,
KEEZHARIYOOR, KOYILANDY TALUK, KOZHIKODE DISTRICT.**

**BY ADVS.SRI.P.R.SREEJITH
SRI.M.PROMODH KUMAR**

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

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B.A.No. 4217 of 2015

Dated this the 30th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is said to have committed the offences under Sections 465, 467, 468, 471 and 420 of the Indian Penal Code. One Manayth Govindan Nair, a close relative of the petitioner had certain properties. The first informant is sister of Govindan Nair, who is no more. The allegation against the petitioner is that he created a false Will in the name of Govindan Nair.

3. Heard.

4. Petitioner maintains that the Will is a genuine document. Going by the Will, Govindan Nair has not bequeathed any property to his sister, the first informant. As of now, the court cannot make any finding as to the genuineness of the Will. It is a matter to be ascertained after evidence is collected. So, I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

1)The petitioner shall be released on bail on his

executing a bond for Rs.50,000/- (Rupees fifty thousand only)with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

- 2)The petitioner shall surrender his passport before the lower court concerned or 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 for interrogation if he is so required by him in writing.*
- 5)He shall co-operate with the investigation and if necessary shall give his thumb impression or handwriting for the purpose of comparison.*
- 6)He shall not intimidate or attempt to influence the witnesses.*
- 7)He shall not destroy or tamper with evidence.*
- 8)He shall not get himself involved in any other criminal case while he is on bail.*

If the petitioner surrenders before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

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

//True copy//

P.A. To Judge