

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

Bail Appl..No. 4493 of 2015 ()

CRIME NO. 707/2015 OF OTTAPPALAM POLICE STATION , PALAKKAD DISTRICT

PETITIONER/ACCUSED NO.3.:

**DEEPU KUMAR K., AGED 34 YEARS,
S/O.KUMARAN, KIZHAKKEKARA HOUSE,
MANACADU P.O., THODUPUZZHA, IDUKKI DISTRICT.**

BY ADV. SRI.K.SUNILKUMAR

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.4493 of 2015

Dated this the 18th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the fourth accused in Crime No.707 of 2015 of Ottappalam Police Station. He is said to have committed the offence under Section 420 of the Indian Penal Code.

3. The prosecution case is that the first informant had in his ownership a lorry which was hypothicated to a bank. He transferred it to the first accused who undertook to pay the installments due to the financier. But without complying with the condition he transferred it to the second accused. It is alleged that the second accused got another number forged on the chassis of the vehicle and used it for some other purpose.

4. Heard both sides.

5. The confession statement of the second accused shows that the petitioner forged a number on the chassis of the vehicle concerned. The confession of a co-accused is

relevant under Section 30 of the Evidence Act. So it cannot be said that there is nothing to connect the petitioner with the commission of the offences. It is not at all in public interest to grant him anticipatory bail.

In the result, this application is dismissed.

The learned counsel submits that the petitioner will surrender before the investigating officer. He may do so if he is so advised.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge