

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

Bail Appl..No. 4812 of 2015 ()

CRIME NO. 422/2015 OF MANNARGHAT POLICE STATION, PALAKKAD DISTRICT

PETITIONER/1ST ACCUSED IN CRIME NO.422/2015 OF MANNARGHAT

POLICE STATION :

**MOHAMMED BASHEER
S/O.ABU, KATTUPARA VEEDU, KACHERIPARAMBU P.O.
MANNARKAD TALUK.**

**BY ADVS.SRI.NIRMAL V. NAIR
SRI.LIJO VARGHESE**

RESPONDENT :

**STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, KOCHI - 682 031.**

BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13-08-2015,
ALONG WITH BA NO. 4813/2015, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:**

Mn

K.ABRAHAM MATHEW, J.

.....
B.A.Nos.4812 & 4813 of 2015

.....
Dated this the 13th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are the accused in Crime No.422 of 2015 of the Mannarghat Police Station, registered for the offences under Secs.109, 120B, 467, 468, 471 read with Sec.34 of the Indian Penal Code. It is stated that they forged the signatures of the victim in an agreement for sale and instituted a suit on the basis of it for specific performance of the agreement.

3. Heard both sides.

4. The suit filed by the victim as O.S.No.151 of 2013, is pending before the Sub Judge, Tirur.

5. As of now, except the statement of the victim, there is nothing to show that the document is a forged one. So I am inclined to grant the prayer of the petitioners.

6. In this result, these applications are allowed.

- 1) The petitioners shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.
- 2) They shall surrender their passports before the lower court concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.
- 3) They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.
- 4) They shall appear before the Investigating Officer for interrogation if they are so required by him in writing.
- 5) They shall not intimidate or attempt to influence the witnesses.
- 6) They shall not destroy or tamper with evidence.
- 7) They shall not get themselves involved in any other criminal case while they are on bail.

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

It is made clear that, if the investigating officer gets sufficient evidence to prove the allegation against the petitioners, he may file an application for cancellation of bail before the trial court.

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

AMV/13/08/

/TRUE COPY/

P.A.TO JUDGE