

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

Bail Appl..No. 4961 of 2015 ()

CRIME NO. 334/2015 OF ADHOOR POLICE STATION, KASARAGOD DISTRICT.

.....

PETITIONER/1ST ACCUSED:

ABDUL GAFOOR, AGED 41 YEARS,
S/O.ABDUL KHADAR, BALANADUKKA HOUSE,
MULIYAR P.O., KASARAGOD DISTRICT.

BY ADV. SRI.I.V.PRAMOD.

RESPONDENT/COMPLAINANT/STATE:

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

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

A.HARIPRASAD, J.

B.A No.4961 of 2015

Dated this the 9th day of September, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the first accused in Crime No.334/2015 of Adhoor Police Station registered for offences punishable under Sections 420, 465, 466 and 471 I.P.C.

3. Prosecution alleges that the petitioner along with accused Nos.2 to 4 with a common intention of creating false documents and grabbing government lands created forged documents and thereby falsely created patta in respect of his land. After creating false patta, basic tax was paid on the basis of those false documents. Later, the petitioner sold the property to one Abdulla from whom the defacto complainant's wife purchased the property.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Learned counsel for the petitioner submitted that the

website maintained by the District Collector, Kasaragod shows the details of patta issued by the Village authority in the name of petitioner. In answer to this argument, learned Public Prosecutor submitted that in 2005, the petitioner with the connivance of some Village authorities created false entry in the relevant registers and that information might have been uploaded in the website. However, I am of the view that this is a case where custodial interrogation will be necessary. Bail plea of the petitioner cannot be accepted.

In the result, the bail application is dismissed.

**Sd/-
A.HARIPRASAD,
JUDGE.**

//True copy//

P.A to Judge