

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

Bail Appl..No. 5126 of 2015 ()

CRIME NO. 82/2011 OF EDAKKAD POLICE STATION, KANNUR DISTRICT

PETITIONERS/ACCUSED NO. 1 & 3 :

1. SAHEER
S/O. UMMER, AGED 37 YEARS
SALMAS, KURUVA, KADALAYI P.O., KANNUR.

2. SHAJID
S/O. ERAMU, AGED 34 YEARS
KAKKARAYIL HOUSE, KANNUR.

BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.K.ASHIS

RESPONDENT/RESPONDENT/COMPLAINANT :

SHO, EDAKKAD POLICE STATION
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA-682 031.

BY PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

A. HARIPRASAD, J.

=====

B.A.No. 5126 of 2015

Dated this the 2nd day of September, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No. 82 of 2011 of Edakkad Police Station, involved in offences punishable under Sections 468 and 471 of the Indian Penal Code.

3. The prosecution case is that on 04.12.2010, while the officials were conducting a hearing for inclusion of names in the voters' list of Edakkad Panchayat Office, it was found out that certain documents were forged for creating false entries in the voters' list so as to include names of persons not eligible to be enlisted in the voters' list. It is alleged that the petitioners have forged the relevant documents for including name of voters in the voters' list. Petitioners pleaded innocence.

4. Heard both sides.

5. Learned Public Prosecutor submitted that there are allegations in the case diary showing the involvement of the petitioners in the act of forgery. Considering the nature of

allegations, I find that the petitioners are not entitled to get pre-arrest bail.

Therefore, they shall surrender before the Investigating Officer and submit themselves for interrogation. Thereafter, the Investigating Officer shall produce them on the same day before the court having jurisdiction. In that event, they can move for regular bail. If that be so, the learned Magistrate shall consider the application on merits, if possible on the date of surrender itself.

Sd/-

**A. HARIPRASAD,
JUDGE**

DST

//True copy//

P.A. To Judge